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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1995

Addendum

SYRIAN ARAB REPUBLIC

[22 September 1995]

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Introduction

1. Pursuant to the provisions of article 44 of the Convention on the Rights of the Child, under which reports must be submitted on the measures that the State party has adopted to give effect to the rights recognized in that Convention and on the progress made in the enjoyment of those rights, this report has been prepared in accordance with the general guidelines regarding the form of national reports, as formulated by the Committee on the Rights of the Child in document CRC/C/5. The basic document of the Syrian Arab Republic, constituting section I of the report of the State party, contains other useful information.

2. This report is the outcome of commendable endeavours made by a number of ministries, government agencies, professional associations and non-governmental organizations (known as "popular organizations" in Syria). For this purpose, a National Committee was formed under the chairmanship of the Minister for Social Affairs and Labour and including among its members representatives of the Ministries of Social Affairs and Labour, Justice, Education, Health, Culture, Information, Foreign Affairs and Planning. National organizations and associations were represented on the Committee by members of the People's Assembly (Parliament), the Women's General Federation, the Teachers' Association, the Tala'i al-Baath (Baath Vanguard) organization, the Shabibat al-Thawra (Revolutionary Youth) Federation and the Central Bureau of Statistics.

3. Reference must also be made to the valuable support provided directly or indirectly by UNICEF, UNFPA, UNDP, UNRWA and WHO.

4. The Syrian Arab Republic ratified the Convention on the Rights of the Child on 13 June 1993 under the terms of Legislative Act No. 9, in accordance with the provisions of the Constitution and the decision taken by the People's Assembly at its meeting on 5 June 1993. The Convention entered into force on 14 August 1993.

5. Following Syria's accession under the terms of the above-mentioned Legislative Act No. 8 of 13 June 1993, the Convention on the Rights of the Child became part of the country's domestic law and, consequently, must be implemented and respected by all. This is confirmed by article 25 of the Syrian Civil Code, which stipulates that "the provisions of the preceding articles shall apply only in the absence of a conflicting text or international convention in force in Syria". It is also confirmed by article 311 of the Syrian Code of Criminal Procedure, which stipulates that "the above rules shall apply without prejudice to the provisions of treaties concluded in this connection between Syria and other States".

6. Syria's accession also signifies the existence of a political commitment and the preparation of this report forms part of that commitment.

7. In his ministerial statement delivered before the People's Assembly on 14 November 1994, the Prime Minister outlined the Government's programme, plan of action and general policy and referred to the importance of

cooperation between the legislative and executive authorities in order to achieve the urgent objectives that necessitated development of the legislative structure.

8. According to the latest census conducted in 1994, Syria's total population amounted to 13,812,284 persons, of whom 7,005,385 were male and 6,806,899 female. The rural and urban proportions of the population amounted to 52 per cent and 48 per cent respectively. The proportion of families headed by women was 10.3 per cent and average life expectancy was 66.6 years for males and 67.7 years for females.

9. Children under 15 years of age accounted for more than two fifths of the population (about 42 per cent in urban areas and 45 per cent in rural areas). The proportion of the population aged 65 years and above was about 3 per cent. In other words, Syrian society is youthful and the State therefore needs to allocate more funds to meet educational and health needs.

10. The average annual population growth was 33.1 per 1,000 in the year 1981, as compared with 33.5 per 1,000 in 1994. The data indicate that the average family size increased from 5.3 members in 1960 to 6.05 members in 1993. The 1980s, and especially the second half of that decade, witnessed considerable socio-economic changes such as, in particular, a rise in the standard of living and an expansion of female education. This had evident effects on traditional patterns of fertility, which declined towards more moderate levels. In fact, the fertility rate dropped from 6.8 per cent in the 1980s to 4.2 per cent in 1993.

11. Infant mortality amounted to 34.6 per 1,000 in 1993. The Syrian Arab Republic is paying special attention to this matter and regards a reduction in infant mortality rates as one of the principal objectives of its health policy since they constitute a basic indicator of health standards and of prevailing living conditions. Infant mortality declined by about 60 per cent between 1981 and 1993. These mortality rates were higher in rural than in urban areas (37 per 1,000 and 32 per 1,000 respectively). This decline is attributable to migration from rural to urban areas where health services are more readily available and the illiteracy rate, particularly among women, is lower.

12. The maternal mortality rate dropped from 143 per 1,000 live births in 1990 to 107 per 1,000 live births in 1993.

13. The most important of the health programmes, which were responsible for the reduction in infant mortality rates, were the inoculation programmes against various contagious diseases and the establishment of more health centres throughout the country, particularly in rural areas. Details concerning these programmes will be found in the relevant section of this report.

14. There has been an evident decline in the illiteracy rate which, in relation to the total population aged 10 years and above, dropped from 65.6 per cent in 1960 to 20.6 per cent in 1993 (11.2 per cent male

and 30.6 per cent female). In urban areas 8.2 per cent of males and 21.5 per cent of females are illiterate, although these figures are much higher in rural areas.

15. From the time when new concepts of development were formulated in the 1970s, the human factor has played a role that is just as important as that of the material factor in the achievement of development. The Government has shown great concern for the question of population and the development of human resources and this concern was highlighted in the address delivered by the President of the Republic at the Population Conference held in Mexico in 1984, in which he said: "The Government of the Syrian Arab Republic has endeavoured to deal with the population question by establishing a linkage between demographic variables and socio-economic developments and by making the population factor an integral part of the overall and detailed process of development planning". The population-related goals have focused on:

(a) Harmonization between population growth and economic resources in order to lower the high population growth rates, reduce urban population growth by curbing migration from rural to urban areas, promote greater awareness of population issues and increase the effectiveness of reproductive health and family planning programmes;

(b) Manpower development and enhancement of national capabilities;

(c) Environmental protection.

16. Since the 1960s, the Syrian Arab Republic has been applying the principle of comprehensive economic planning. The First Five-Year Plan was announced for the period 1960-1966 and the Seventh Five-Year Plan is currently being implemented. The main aim of these plans was to consolidate the foundations of social justice and achieve economic development through the Agricultural Revolution, the full exploitation of water resources, the establishment of an industrial base, rural revival and redistribution of national income. In fact, a real overall upswing has been achieved in GDP growth rates in the various economic sectors.

17. In Syria, agriculture constitutes one of the principal production sectors, accounting for about 31 per cent of GDP in 1993. The industrial sector, for its part, accounted for about 14 per cent of GDP. The commercial sector is the second largest sector, accounting for 25 per cent of GDP in 1993, to which the services sector, particularly transport, communication and storage, contributed a further 10 per cent.

18. Governmental and non-governmental bodies have shown greater concern for all economic, social, health, educational, cultural, artistic and other fields since the Revolution of 8 March 1963, which was guided by the Arab Baath Socialist Party, the leading party in Syria, and this concern was further intensified after the Corrective Movement led by Comrade Hafez al-Assad, the President of the Syrian Arab Republic, in 1970.

I. GENERAL MEASURES OF IMPLEMENTATION

A. Measures taken to harmonize national law and policy with the provisions of the Convention

19. Most of the legislation in force in the Syrian Arab Republic on questions relating to children is consistent with the provisions of the Convention on the Rights of the Child and the authorities concerned will be amending and developing the remaining legislative provisions as far as possible in order to ensure full harmonization between national law and the provisions of the Convention.

B. Existing or planned mechanisms at the national level to coordinate policies relating to children

20. A Higher Committee for Child Welfare was established under the terms of Act No. 2446 of 1982. It is chaired by the Deputy Prime Minister and its membership includes a number of ministers, in addition to representatives of bodies concerned with children. Its aim is as follows:

> "To strengthen and coordinate the roles of all the bodies involved in meeting the needs of children; to ensure appropriate conditions for the utilization of all available resources in accordance with an integrated scientific plan and a chronologically scheduled programme; to provide health care for children and expectant mothers, giving attention to, and strengthening the public role of, all the educational, cultural, social and information-related aspects; to identify talented children at an early stage, cater for their needs and provide them with all the facilities conducive to the optimum development of their talents; to endeavour to detect disability at an early stage and, subsequently, cater for the welfare, rehabilitation and social integration of disabled children by providing them with appropriate employment opportunities; to support day nurseries and kindergartens and ensure the availability of such institutions in every residential, academic and industrial complex, according priority to areas that lack such institutions for children, particularly children of mothers employed by the State, and giving special attention to children living in low-income and rural areas; to provide the experienced staff needed to care for children, making every effort to ensure that their work receives appreciation and material and moral encouragement; to urge public-sector institutions and companies to show an interest in children's products and to recycle the largest possible amount of scrap production material for the fabrication of educational tools, aids and games."

21. The First National Conference on the Survival, Development and Protection of Children was held at the end of 1991 under the patronage of the President of the Republic. The detailed in-depth conference papers on the situation of children in Syria were prepared by five preparatory committees with help from all the ministries and popular organizations concerned. Recommendations and resolutions were adopted and the documents, after being carefully examined by the Central Bureau of Statistics and the State Planning Authority, were

endorsed by the Office of the Prime Minister and published under the title of "National Plan of Action to Implement the World Declaration on the Survival, Protection and Development of Children in the 1990s".

C. Measures taken to make the Convention widely known to the public

22. The National Committee to Monitor the Implementation of the Convention on the Rights of the Child, acting in collaboration with official and non-official bodies, conducted the studies needed for the repeated dissemination of the principles embodied in the Convention on the Rights of the Child through all the audiovisual information media and also for its implementation through the symposia and meetings that were organized specially for that purpose.

23. The provisions of the Convention on the Rights of the Child were published in newspapers and magazines, particularly children's magazines such as Usama, in collaboration with UNICEF. Some of the provisions of the Convention were also broadcast on radio and television in family and children's programmes.

24. The Ministry of Education used its own means (instructors, wall posters and school radio programmes) to make the Convention on the Rights of the Child more widely known and to explain its provisions to pupils of primary, preparatory and secondary schools.

25. Popular organizations including, in particular, the Women's General Federation, the Tala'i al-Baath (Baath Vanguard) organization and the Shabibat al-Thawra (Revolutionary Youth) Federation helped to disseminate the provisions of the Convention on the Rights of the Child among women, children and young persons through the symposia and study groups etc. that they organized, or in which they participated, in their branches and sections and at day nurseries and kindergartens throughout the Syrian Arab Republic.

D. Action planned to publicize the measures taken by the State to implement the Convention

26. The National Committee that was established to monitor the implementation of the Convention, acting in collaboration with the numerous bodies concerned, particularly the information media, intends to make the public more familiar with the provisions of the Convention on the Rights of the Child. Symposia and meetings will also be held for that purpose and the Committee hopes to achieve satisfactory results in this regard.

II. DEFINITION OF THE CHILD

27. The definitions of the child, as set forth in Syrian legislation, are basically consistent with the definition contained in article 1 of the Convention on the Rights of the Child, which stipulates that a child means "every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier".

28. Under Syrian law, "child", "minor" and "juvenile" are legal terms with the same connotation, namely a person (human being) below the age of 18 years.

29. Article 46 of the Syrian Civil Code promulgated in Legislative Decree No. 84 of 18 May 1949 stipulates that every person who has attained the age of majority, who is in full possession of his mental faculties and who is not subject to any form of guardianship, is fully competent to exercise his civil rights. The age of majority is attained on reaching the age of 18 full Gregorian years.

30. Article 1 of the Juvenile Delinquents Act No. 18 of 30 March 1974, as amended, stipulates as follows:

> "For the purposes of the implementation of the provisions of this Act, the expressions listed below shall have the following meanings:
>
> 1. Juvenile: Any male or female person under 18 years of age".

31. However, Syrian law stipulates specific ages for some special purposes, including the following.

Age at which civil rights can be exercised

32. Article 47 of the Civil Code stipulates as follows:

> "1. Anyone who is incapable of acting with discretion is incompetent to exercise his civil rights.
>
> 2. Everyone under seven years of age is deemed to be incapable of acting with discretion".

33. Article 164 of the Personal Status Act stipulates as follows:

> "1. A minor does not have the right to receive his property before attaining the age of majority.
>
> 2. After hearing the statements of the legal guardian, the judge may authorize a minor who has attained the age of 15 years to receive and manage part of the said property".

Age for assumption of civil and criminal responsibility

34. The legal principles embodied in Syrian law stipulate that a person who is incapable of acting with discretion does not bear civil or criminal responsibility for his acts. Article 165 of the Civil Code contains the following provision:

> "1. A person is responsible for his unlawful acts if he commits them while capable of acting with discretion."

35. Article 2 of the Juvenile Delinquents Act further stipulates: "No juvenile shall be liable to criminal prosecution for an offence that he committed when he was under seven years of age".

36. According to article 111 of the Civil Code: "A minor does not have the right to dispose of his property and all such acts of disposal shall be deemed null and void".

Marriageable age

37. Syrian law makes a distinction between males and females in regard to marriageable age. Article 16 of the Personal Status Act stipulates: "The age of eligibility for marriage is 18 years in the case of young men and 17 years in the case of young women'. Below this age, marriage may be authorized subject to the conditions laid down in article 18 of the Personal Status Act.

Age for compulsory military service

38. Every Syrian who is not exempt from (compulsory) military service has an obligation to perform it. According to article 6 of the Military Service Act promulgated in Legislative Decree No. 115 of 5 October 1953, as amended: "Every Syrian is required to perform compulsory military service on reaching the age at which it becomes obligatory. The said age begins on the first day of the month of January in the year in which he reaches the age of 19 years".

Age for admission to employment

39. The age for admission to employment is legally set at 18 years in accordance with article 7 of the State Employment Statute. Any violation of this provision is punishable under the terms of Legislative Decree No. 13 of 3 April 1982.

40. The legislature left the question of the employment of juveniles under 12 years of age to the discretion of the Minister of Labour and the Office of the Prime Minister.

41. The Minister of Labour promulgated Ordinance No. 415 of 26 August 1959 specifying 17 occupations in which it is prohibited to employ juveniles under 15 years of age. These occupations include the soap, tallow, tanning, cotton ginning and sugar processing industries.

42. The Minister of Labour promulgated Ordinance No. 417 of 26 August 1959 specifying 50 occupations in which it is forbidden to employ juveniles under 17 years of age. These occupations include work underground, in foundries and in the lead and petroleum processing industries. It is also prohibited to employ them to carry, pull or push loads exceeding a certain weight. The Syrian legislature's purpose in setting these minimum ages for admission to employment was to regulate occupations which affect the physical development of children and juveniles, which lead to chronic occupational diseases or which involve the use of dangerous tools or machinery.

43. Under the terms of article 47 of the Agricultural Relations Act No. 134 of 1958, it is prohibited to employ male and female children under 12 years of age in agricultural work. Article 48 further stipulates that adolescents and young persons over 12 but under 18 years of age may be employed in agricultural work only with the consent of their legal guardians.

44. The Prime Minister promulgated Decision No. 3803 of 20 November 1985 approving the model rules of procedure for all public bodies subject to the provisions of the State Employment Statute No. 1 of 1985. The said rules emphasized a number of principles, including the following:

"Juvenile" means any male or female person under 12 years of age.

It is prohibited to employ a person under 12 years of age in any occupation and persons under 15 years of age must not be employed in production work.

It is prohibited to assign a juvenile to work on dangerous machinery and equipment (hoisting gear, tractors, electrical installations, etc.).

The rules prohibit the employment of juveniles in a number of occupations, including cotton-ginning, printing and mining, etc.

The rules also prohibit the employment of juveniles between 15 and 18 years of age to carry, push or pull loads exceeding certain weight limits.

Age of compulsory education

45. Article 2 of the Compulsory Education Act No. 35 of 16 August 1981 stipulates: "All guardians of male and female Syrian children between 6 and 12 years of age have an obligation to enrol them in primary schools".

Age of competence to act as a party in legal proceedings

46. No Syrian citizen under 18 years of age (the age of maturity specified in the Civil Code) is deemed competent to act as a party in legal proceedings. In the case of foreigners, the relevant age is that specified in their own national law (art. 15 of the Code of Civil Procedure).

Age of competence to testify before the courts

47. No person under 15 years of age is deemed competent to testify before the courts. This is in accordance with article 59 of the Law of Evidence, which stipulates:

"2. No person under 15 years of age is competent to testify.

"3. The statement of a person under 15 years of age may be heard only on oath and solely for purposes of inference".

However, in cases involving rape or indecent acts, the Syrian judiciary regards the child victim of such offences as the principal witness (Syrian Court of Cassation Ruling No. 28 of 23 January 1979 and Ruling No. 156 of 3 March 1979, which were published in the Criminal Law Compendium compiled by the lawyer Yaseen al-Darkazalli, vol. 1, pp. 64-65).

III. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

48. Syrian law applies to all persons, regardless of their sex, race or religion. This is confirmed in article 25, paragraph 2, of the Syrian Constitution, which stipulates that: "All citizens are equal before the law in regard to their rights and obligations".

49. Non-discrimination in education is evident from article 37 of the Constitution, which stipulates that: "Education is a right guaranteed by the State. It is free of charge at all stages and is compulsory at the primary stage". With regard to cultural, social and health services, article 47 of the Constitution further stipulates that: "The State is responsible for providing cultural, social and health services ... etc.".

50. According to articles 28 and 94 of the Constitution of the Arab Baath Socialist Party, which is the leading party in the State and society, all citizens are equal in human value and there must be no discrimination among them on grounds of sex, origin, language or religion.

51. The legal principles in force in Syria apply to all citizens without distinction. This is confirmed in article 1 of the Civil Code, which stipulates that: "The provisions of the law apply in all matters to which the said provisions refer explicitly or implicitly". Moreover, the right to seek legal remedy in the courts is guaranteed to all citizens on the sole condition that they must enjoy the legal capacity to do so as an interested party. This is confirmed in article 11 of the Code of Civil Procedure.

B. Best interests of the child (art. 3)

52. Through its policy and the laws in force in its territory, the State is endeavouring to ensure that precedence is accorded to the interests of the child so that he or she can develop into an upright member of a healthy society. To this end, every Syrian family attaches central and fundamental importance to the welfare and protection of its children and the State is making considerable endeavours to ensure effective protection of the health and educational aspects of child welfare, particularly through the legal protection afforded by the Civil Code and the Personal Status Act whenever the interests of the child conflict with those of others.

53. Article 111 of the Civil Code stipulates: "A minor does not have the right to dispose of his property and all such acts of disposal shall be deemed null and void". Article 112 further stipulates: "If the minor is capable of acting with discretion, his financial transactions shall be deemed valid whenever they are solely to his benefit and invalid whenever they are solely to his detriment; financial transactions that are partly beneficial and partly detrimental may be invalidated in the interests of the minor".

54. Several provisions of the chapter on custody in the Personal Status Act clearly give precedence to the best interests of the child. Article 140, for example, stipulates that: "If a number of persons are entitled to custody of the child, the judge shall have the right to select the most appropriate".

Article 145 further stipulates that: "If an estranged wife has children over five years of age, the judge may place them in the custody of either of the spouses, at his sole discretion, taking into consideration the interests of the children on the basis of imperative substantiating grounds".

55. Article 147 stipulates: "If the legal guardian is not the father, the judge may place the child, whether male or female, in the custody of the mother, the legal guardian or their equivalent, as he deems most appropriate, until the child, if a girl, marries or comes of age or, if a boy, reaches the age of maturity". The third paragraph of the same article further stipulates: "When the legal guardian, even if he is the father, is found to be unfit to be granted custody of the child, the latter shall be handed over to the next most eligible guardian, without prejudice to the provision contained in paragraph 1".

C. Right to life, survival and development (art. 6)

56. The right to life, being the principal inherent right of the human person and the primary human right, is the most valuable asset that an individual can guard; it is the motivating source of the human will to exist, to achieve distinction and to be characterized by creative originality. Syrian law emphasizes the need to protect this right of the child from the time of his or her formation as an embryo in the mother's womb.

57. Syrian law also regards any violation of the right to life as an offence punishable by the most severe penalties (arts. 533-553 of the Penal Code).

58. Every child has a right to be suckled and the father has an obligation to hire a wet-nurse if the child is not suckled by the wife and mother; such suckling, for the purpose of ensuring the child's growth, may be natural or artificial (art. 152 of the Personal Status Act).

59. According to article 5 of Act No. 107 of 1970, concerning the care of foundlings: "The Ministry of Social Affairs and Labour shall be responsible for the care, maintenance and education of the foundling until he or she is able to fend for him or herself and earn a living". Article 6 of the Act further stipulates that "(a) The Ministry of Social Affairs and Labour shall act as the guardian of the foundling until he or she reaches the age of 18 years; (b) The said guardianship shall include the exercise of authority in regard to upbringing, general and vocational education, health and social supervision and other matters relating to the personal welfare of the foundling". Article 7 of the said Act calls for the establishment of foundling care centres to assume custody and cater for the health, educational and social welfare of foundlings until they are able to fend for themselves. Article 18 of the Act defines foundlings as: (a) Children of unknown parentage, for whom no one is legally obliged to provide support; (b) Lost children who are unable to provide information concerning their families' whereabouts due to their young age, their mental retardation or the fact that they are deaf and dumb, and whose families make no attempt to recover them".

60. The State pension and social security institutions cater for the welfare of retired State employees, as well as that of the heirs of deceased pensioners who are entitled to receive ongoing support. These heirs include their children, whose sound development and proper education is ensured through the payment of allowances up to the age of 26 years in the case of those who continue their higher education to university level and up to the age of 18 years in the case of those who do not continue their studies. Female children are entitled to allowances until they find gainful employment or until they marry.

61. The Ministry of Health provides the requisite health care for women during pregnancy in order to ensure the birth of a healthy child. Health care, under the supervision of trained specialists, is also provided during childbirth in order to reduce the risk of congenital abnormalities or deformities. After their initial examination, newborn children benefit from ongoing care, during which their mental and physical development is monitored in order to detect any defect.

D. Respect for the views of the child (art. 12)

62. Article 38 of the Syrian Constitution stipulates that: "Every citizen has the right to express his opinion freely and openly by word of mouth, in writing or through any other medium of expression". In accordance with Syrian legal principles, every individual has the right to express his opinion without any impediment. The exercise of this right is restricted only by the limitations and rules needed to maintain a balance in relations between individuals so that one person's enjoyment of the right to express his opinion does not preclude respect for the opinions of others.

63. Children exercise their right to express their views at home with their family, at school with their teachers, through school magazines and special training, recreational, educational and information programmes and through their organizations, such as the Tala'i al-Baath (Baath Vanguard) organization and the Shabibat al-Thawra (Revolutionary Youth) Federation. All State institutions pay special attention to the views, creative achievements and inventions of children, for whom exhibitions are also organized. Moreover, the official audiovisual information media show concern for the views of children by publishing and broadcasting their stories, articles and poems. In fact, children can exercise the right to express their views by word of mouth, in writing or graphically.

64. The Ministry of Education, in collaboration with the Women's General Federation, holds vocational training courses for the staff and supervisors of day nurseries and kindergartens in order to familiarize them with the best ways to listen to children, discover and respect their views and persuade them, through a pedagogic method far removed from coercion and repression, to abandon any views that might be inappropriate.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality (art. 7)

65. A name is one of the most important rights inherent in the human person; it is the principal feature that distinguishes a person as an independent individual entity in the community. A name does not merely refer to a person and distinguish him or her from other persons; it also indicates the status that the person enjoys in his or her family or society. Accordingly, under Syrian law, every person must have a name and surname. Article 40 of the Civil Code stipulates that: "Every person shall have a name and surname and the surname shall be passed on to the person's children". By law, a newborn child must be named by the father, since the child will bear the father's name. Children of unknown paternity are named by their mother and foundlings are named by the Civil Registrar (art. 34 of the Civil Status Act, No. 376 of 2 February 1975). Hence, in Syria there is no child who does not bear a respectable and acceptable name by which he or she is distinguished from other individuals.

66. Every child born in Syria has the right to acquire the nationality of his or her parents as a right based on blood affiliation if the child's father is known, as a right based on both blood and territorial affiliation if the child's mother is Syrian and the father is unknown, or as a right based solely on territorial affiliation if the child's parents are unknown or if, although known, they are unable to pass their nationality on to the child. Article 3 of the Syrian Nationality Act No. 276 of 24 October 1969, as amended, stipulates as follows:

> "The following persons shall be deemed, ipso facto, to be Syrian Arabs:
>
> (a) Anyone born in or outside the country to a Syrian Arab father.
>
> (b) Anyone born inside the country to a Syrian Arab mother but whose paternity has not been legally established.
>
> (c) Anyone born inside the country to parents who are unknown, of unknown nationality or stateless. A foundling discovered within the country shall be deemed to have been born therein at the place in which he or she was discovered, failing proof to the contrary.
>
> (d) Anyone born inside the country and who, at birth, was not entitled to acquire a foreign nationality by right of affiliation."

Accordingly, in Syria there is no child who does not have a specific name and nationality.

B. Preservation of identity (art. 8)

67. Syrian law seeks to ensure that every person born in Syria has an identity that clearly specifies his or her civil status. The father or, in his absence, relatives, as well as the physician, the midwife or directors of official institutions have an obligation to send the birth certificate of

every newborn child to the Civil Registrar. This ensures that every child is entered in the official State registers. Article 26 of the Civil Status Act stipulates that: "The father has an obligation to present the birth certificate, authenticated by the local mayor, within the legally specified time-limit. In the father's absence, this obligation devolves on the local mayor or the relatives of the newborn child living in the house in which the birth took place. The physician or midwife is required to notify the Civil Registrar within the time-limit specified in article 22".

68. Under article 37 of the same Act, directors of institutions such as hospitals, prisons and quarantine stations, etc., have an obligation to transmit to the Civil Registrar the birth certificates of children born in their institutions, although these do not need to be authenticated by the local mayor. The said directors are required to maintain special registers to record these events.

69. Under Syrian law, in the event of a multiple birth (twins or more), a birth certificate must be drawn up for each of them. Article 29 of the Civil Status Act stipulates that: "In the event of a multiple birth (twins or more), each of them is entitled to a separate birth certificate and announcement indicating the hour and minute of their respective births".

70. Under Syrian law, newborn foundlings must be handed over to the official authorities so that an investigation can be duly undertaken with a view to determining their identity. Article 24 of the Civil Status Act stipulates that: "Anyone who finds a newborn child must hand the child over to the police authorities in towns and cities, or to the local mayor in villages, together with the clothing and other objects found on the child, and must also specify the time, place and circumstances in which the child was found. The police officers and mayors must then draw up a report on the incident, specifying the child's apparent age and any distinguishing marks. The child must be delivered, with the report, to one of the institutions or persons approved by the Ministry of Social Affairs and Labour and the said institutions or persons must draw up a birth certificate and send it to the Civil Registrar for registration in accordance with the preceding provisions after the child and his or her parents have been given pseudonyms chosen by the Civil Registrar. This is confirmed in article 2 of the Foundlings Act No. 107 of 4 May 1970.

71. Under Syrian law, every Syrian must hold a personal identity card specifying his or her civil status. According to article 70 of the Civil Status Act: "On reaching the age of 14 years, every male and female Syrian Arab must apply, within one year, for a personal identity card to be issued by the Civil Registry at his or her place of registration or residence. Application therefor prior to the said age is voluntary.

C. Freedom of expression (art. 13)

72. Freedom of expression is a natural inherent right which affirms the human personality of every individual, gives free scope to talents, enriches culture, broadens knowledge and protects society from harmful and aberrant

forms of behaviour. Under the legal principles in force in Syria, everyone has the right to express, in various ways, his or her state of mind and intellectual or social thoughts.

73. State of mind and intellectual or social thoughts are expressed by word of mouth, graphically or by way of sculpture. This is done in various ways. It may be effected through the daily press, children's magazines, television, speeches, lectures, meetings, symposia, festivals or journeys. In Syria, children find an appropriate environment in which to express their state of mind and intellectual or social thoughts through the official departments and popular organizations which guide and organize various children's activities. The most important of these departments and organizations are the Ministries of Education, Culture, Social Affairs and Labour and Information, the Women's General Federation, the Tala'i al-Baath (Baath Vanguard) organization and the Shabibat al-Thawra (Revolutionary Youth) Federation, etc.

74. In all schools and kindergartens, the Ministry of Education endeavours to boost the child's self-confidence and develop the child's ability to freely express his or her personality. The Ministry also endeavours to eliminate the elements of fear, frustration and failure by promoting and showing concern for the child's spirit of initiative and encouraging ongoing dialogue between teachers and pupils.

75. The Ministry of Culture is endeavouring to encourage self-expression by means of music, art, literary composition and publication through cultural centres, popular cultural institutes and music academies and also through the writing or translation of children's books. The Ministry also establishes plastic and applied arts centres and theatres, such as the National Theatre, the Experimental Theatre and the Roving Theatre, in addition to publishing children's books and magazines.

D. Access to appropriate information (art. 17)

76. In Syria, children have access to the information needed for their development through numerous channels.

77. Through its numerous media, the Ministry of Information publishes or broadcasts useful information for children through special children's programmes. For example, Syrian Arab Television broadcasts educational programmes and science fiction, historical fiction, documentary, social and cartoon films.

78. The Ministry of Education supplies the requisite educational books for children in all schools. These are supplied free of charge at the primary stage and at a nominal charge at the preparatory and secondary stages. The production of these books is supervised by academics specialized in the identification of the appropriate information that children should acquire at various stages of their intellectual and temporal life. A reference library, containing a number of scientific and literary works, has also been established in almost every school with a view to raising the cultural standards of children.

79. The Ministry of Culture is establishing cultural centres in all the governorates with a view to making culture accessible to all citizens, including children. The Ministry also arranges for cinematographic and television films to be shown and establishes children's libraries and mobile cultural units equipped with books and audiovisual equipment to make knowledge accessible to rural children. In addition, the Ministry published children's books, as well as the Usama and Al-Ma'rifa magazines, and organizes regular visits by children (pupils) to national museums.

80. The non-governmental organizations, particularly the Women's General Federation, the Tala'i al-Baath (Baath Vanguard) organization and the Shabibat al-Thawra (Revolutionary Youth) Federation, play a prominent role in this field through symposia, camps, festivals and radio and television programmes.

E. Freedom of thought, conscience and religion (art. 14)

81. Although Syria expressed reservations concerning this article, the legal principles on which its socio-political system is based emphasize the concept of religious freedom, since the Syrian Constitution stipulates that (i) freedom of belief shall be safeguarded and the State shall respect all religions; (ii) the State guarantees freedom to engage in all religious observances in so far as they are not prejudicial to public order.

82. The prevailing principle in Syria is that children are brought up in the religion of their fathers. This principle is dictated by the nature of the Syrian family, which is based on the patriarchal system, i.e. the father is the head of the family and the harmony and spiritual cohesion of the family make it necessary to avoid any discord in religious belief between the head of the family and his children as long as the latter are below the age of maturity. However, it should be noted that freedom of religious belief is based on the concept of volition, the criterion of which is legal capacity. Since children are lacking in legal capacity, expression of their volition would be vitiated by the element of consent. Hence, the principle of religious freedom should not be adopted in the absolute sense since it would lead to disintegration of the family and, consequently, of society of which the family forms the basic unit.

83. Syria acceded to the International Covenant on Civil and Political Rights under the terms of Legislative Decree No. 3 of 12 January 1969 and expressed no reservations concerning article 18 thereof, which recognizes everyone's right to freedom of thought and belief.

84. De jure and de facto freedom of thought, conscience and religion is guaranteed to all citizens. Under Syrian law, denigration of the religious observances of any community constitutes a punishable offence. Article 462 of the Penal Code stipulates that: "Anyone who denigrates religious observances that are performed in public or incites others to denigrate such observances shall be liable to imprisonment for a term of two months to two years". Places of worship and the performance of religious observances are protected by article 463, which reads as follows:

"A penalty of imprisonment for a period of one month to one year shall be imposed on:

(a) Any person who disrupts or uses acts of violence or threats to impede the practice of any religious rites, celebrations or associated observances;

(b) Any person who destroys, damages, defaces, desecrates or defiles a place of religious worship, a religious symbol or any other object that is venerated by the members of a religious community or group of people".

85. The Syrian legislature recognized freedom of thought, conscience and religion by promulgating a personal status code to which Muslim marriages and the effects arising therefrom are subject, as well as legislative enactments concerning marriage and its effects in the case of the numerous Christian communities living in Syria, and legislative enactments concerning marriage in the Mosaic community. These regulations are respected and observed and all the above-mentioned communities have special courts to hear disputes arising in connection with the application of those legislative instruments.

F. Freedom of association and peaceful assembly (art. 15)

86. Article 39 of the Constitution of the State stipulates that: "Citizens have the right to assemble and demonstrate peacefully in a manner consistent with the principles of the Constitution, the exercise of this right being regulated by the law". Under article 48 of the Constitution: "The popular masses have the right to establish trade-union, social and professional organizations and production or service cooperatives, the framework, interrelationships and operational scope of which shall be prescribed by law".

87. Article 41, paragraph (iv), of the Constitution of the Arab Baath Socialist Party stipulates that: "scope should be provided, within the limits of Arab nationalist ideology, for the establishment of clubs and the formation of associations, parties and organizations for young persons, as well as tourist institutions, and utilization of the cinema, radio, television and all the facilities offered by modern civilization for the widespread dissemination of national culture and entertainment among the people".

88. Article 1 of the Private Associations and Institutions Act No. 93 of 1958, as amended, defines "association", for purposes of the implementation of the Act, as any grouping endowed with a permanent organization, established for a specified or indefinite period and consisting of individuals or bodies corporate, for a non-profit-making purpose". Under article 2 of the Act: "Any association which is established for an illicit reason or purpose, or which contravenes the law or the moral code, or the purpose of which is to prejudice the integrity or form of the republican government shall be null and void".

89. The Act stipulates that, when an association is established, written statutes approved by the Ministry of Social Affairs and Labour must be drawn

up for it and the said statutes must specify the purpose underlying the establishment of the association. It also stipulates that the association must not transcend the purpose for which it was established.

The social welfare associations provide the following services:

1. Custody of orphans.

2. Assistance for persons deprived of family care, and child custody.

3. Endeavours to combat begging and vagrancy.

4. Care of persons suffering from mental or physical disabilities.

5. Care of the deaf and dumb.

6. Care of the blind.

7. Health care.

8. Protection of juveniles.

9. Care of foundlings.

10. Children's clubs.

There are also associations that provide charitable aid.

90. The principal common objectives of these associations are to improve local social conditions and care for the groups that they are serving, including children, women and the family in general, developing and protecting its members, defending their interests and enabling them to contribute to the overall social development process.

G. Protection of privacy (art. 16)

91. Every human individual has an inherent right to privacy. Article 52 of the Civil Code stipulates that: "Anyone who is the victim of an unlawful violation of any of his personal rights is entitled to demand the cessation of such violation, together with compensation for the detriment suffered".

92. The Syrian Constitution ensures protection for some aspects of privacy in the same way as it protects the freedom of citizens. Article 31 of the Constitution stipulates: "Homes are inviolable and must not be entered or searched". Article 32 further stipulates: "The confidentiality of postal correspondence and telecommunications is guaranteed in accordance with the provisions of the law".

93. Under the terms of the Penal Code, it is a punishable offence to enter or remain in another person's home against its owner's will. Article 557 of the Code stipulates that "Anyone who enters another person's house or dwelling or the appurtenances thereof against the said person's will, and anyone who

remains in the said premises against the will of a person who has the right to expel him therefrom, shall be punished by a term of up to six months' imprisonment".

94. Penalties are also prescribed for any postal or telecommunication officials who divulge the confidential contents of postal correspondence or telephone conversations. Under paragraph 1 of article 566: "Any person attached to the Post and Telegraph Administration who abuses his official position by opening a sealed letter, destroying or stealing a letter or divulging its content to a person other than its addressee shall be punished by imprisonment for a term of one month to two years". Under paragraph 2 of the same article: "The same penalty shall be imposed on anyone attached to the Telephone Administration who divulges the content of a telephone communication of which he has knowledge by virtue of his post or his work". Article 567 further stipulates that: "1. Any other person who deliberately destroys or opens a letter or telegram not addressed to him or who eavesdrops on a telephone communication shall be punished by a fine if, to the detriment of a third party, he reveals its content to a person other than its addressee; 2. The same penalty shall be imposed on anyone who obtains knowledge of the content of a telegraphic or telephone message or communication".

95. In accordance with the principle of protection of personal privacy, anyone who, by virtue of his occupation, obtains knowledge of confidential details of a person's private life has an obligation not to divulge them to a third party. Syrian law emphasizes the importance of this protection. Under the Penal Code: "Anyone who, by virtue of his position, his post, his occupation or his field of specialization, obtains knowledge of confidential information and divulges it without a legitimate reason or uses it for his own or another person's benefit shall be punished by a term of up to one year's imprisonment and a fine, even if his act is likely to cause only immaterial damage".

H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))

96. The right to security of person implies that no one may be subjected to any form of aggression likely to cause him harm or pain. Article 28, paragraph 3, of the Syrian Constitution stipulates that: "No one shall be subjected to physical or mental torture or degrading treatment. The penalties to be imposed on anyone engaging in such practices shall be prescribed by law".

97. The Syrian Penal Code adopts the principle of absolute protection of the human person by prohibiting all acts of physical assault, acts that cause harm or wounds, and duelling, these being regarded as punishable offences under the terms of articles 540-544 of the Code. The human person is also protected against all violent or brutal acts under the terms of article 391 of the Code, which stipulates as follows:

> "1. Anyone who subjects a person to illegal acts of violence with a view to obtaining from him a confession to an offence or information

pertaining thereto shall be punished by imprisonment for a term of three months to three years.

2. If such acts of violence cause sickness or wounds, the minimum penalty shall be one year's imprisonment".

98. Articles 7 and 8 of the International Covenant on Civil and Political Rights, which forms part of Syrian government legislation under the terms of Legislative Decree No. 3 of 1969, emphasize the right to security of person and the right to humane treatment. Under article 7: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular no one shall be subjected without his free consent to medical or scientific experimentation". Under article 8:

"1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

3. No one shall be required to perform forced or compulsory labour".

V. THE FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance (art. 5)

99. The care and protection of children are matters of crucial and vital concern to the Syrian family and the State is making every endeavour to ensure that all children enjoy such care and protection in various fields, as required by article 44 of the Syrian Constitution, which stipulates that:

"1. The family is the nuclear unit of society and is protected by the State.

2. The State shall protect and encourage marriage and endeavour to eliminate material and social impediments thereto. It shall protect mothers and children".

100. Through its various media, the Ministry of Information is endeavouring to disseminate awareness and knowledge of the importance of the parental role in the rearing, upbringing and care of children.

101. The Ministry of Education is promoting a closer relationship between parents and the school in accordance with an educational programme that focuses on modes of cooperation within the family, the organization of family life, the duties of parents and children, specification of the mother's role in the upbringing and education of her children, modes of cooperation between brothers and sisters, the need to consolidate the knowledge, values and experience that pupils acquire at school, and methods of carrying out household tasks and duties. The Ministry is also endeavouring to promote closer links between the school and parents by organizing periodic meetings between the legal guardians of pupils and the administration of the school that they are attending.

102. The Ministry of Culture ensures that the cultural festivals organized by Arab cultural centres include lectures and symposia on parental duties. Moreover, the Al-Ma'rifa magazine, which is published by the Ministry of Culture, focuses on pedagogic topics in this field.

103. The Women's General Federation holds special symposia to explain family legislation, make the rights of the child more widely known and advise parents on ways to look after their children and provide them with preventive health care in order to protect their health and ensure their proper development. A similar role is also played by the Tala'i al-Baath (Baath Vanguard) organization and the Shabibat al-Thawra (Revolutionary Youth) Federation.

104. The Tala'i al-Baath (Baath Vanguard) organization holds training courses at which the mothers and fathers of children attending primary school receive counselling on the manner in which their children should be treated. Direct contact with families is also established during the annual country-wide festivals which enable families living in the governorate in which they are held to host children from other governorates with a view to establishing direct links between the country's children and families. Joint discussion groups are also organized to clarify the manner in which parents should treat their children.

B. Parental responsibilities (art. 18, paras. 1 and 2)

105. The heaviest share of responsibility for the upbringing and education of children, from the stage of breast-feeding to the stage of nursery school and education, is borne by the parents.

106. According to the Personal Status Act, the mother has an obligation to nurse her child while she is married to the child's father. In the event of separation, this obligation devolves on the child's maternal grandmother and, subsequently, the paternal grandmother, in whose absence it devolves on the child's maternal aunt, etc. (art. 139). The child's father has an obligation to pay the cost of breast-feeding, since article 142 stipulates that the fee of the wet-nurse is borne by the person responsible for the child's maintenance and is assessed in the light of his circumstances.

107. Under Syrian law, child maintenance is the father's responsibility if the child has no money. If the father is insolvent, the responsibility devolves on the person by whom maintenance would be paid in the father's absence. Article 155 of the Personal Status Act stipulates that:

> "1. If the child has no money, the father is responsible for the child's maintenance unless he is indigent and unable to pay or to earn a living due to a physical or mental disability.
>
> 2. Child maintenance shall continue to be paid until marriage, in the case of a girl, or until the boy reaches an age at which his peers are capable of earning a living".

108. Under the Personal Status Act, the guardian is responsible for the child's discipline, medical care, education and orientation towards a gainful form of employment, as well as for approving the child's marriage and taking

care of the minor's other personal matters (art. 170, para. 3). The guardian's failure to ensure that the child completes his or her education to the end of the compulsory stage is regarded as sufficient justification for the forfeiture of his guardianship and opposition or negligence in this regard on the part of a woman holding custody of the child likewise constitutes sufficient justification for the removal of the child from her custody (art. 170, para. 4).

109. Syrian law regards the dereliction of family duties and the abandonment of children as punishable offences (art. 9 of the Juvenile Delinquents Act and art. 486 of the Penal Code based on arts. 484 and 485 thereof).

110. The establishment of nursery schools has helped parents to bear part of their responsibility by providing child care services, particularly for the children of working women during working hours.

C. Separation from parents (art. 9)

111. The legal principle stipulates that the child should live under the care of his or her parents until reaching the age of 18 years and must not be separated from them except in the circumstances provided for by law. This is emphasized in article 163, paragraph 4, of the Personal Status Act, which stipulates that the period of guardianship ends when the minor reaches the age of 18 years unless a court previously orders continuation of the guardianship due to the child's legal incapacity or unless the child reaches that age in a state of feeblemindedness or insanity, in which case the guardianship continues without the need for a court order.

112. In the event of separation of the spouses, the child may be separated from either of them and placed in the custody of the other, who then assumes all the legally stipulated duties and rights. These rights include the mother's right to custody of her male children until they reach the age of nine years and of her female children until they reach the age of 11 years, after which they are separated from the mother and placed in the custody of the father (art. 146 of the Personal Status Act). If the guardian is a person other than the father, it is left to the judge's discretion to determine whether it would be more appropriate to grant custody to the mother, the guardian or a person fulfilling their role (art. 147 of the Personal Status Act).

113. If the child is separated from either of his or her parents and placed in the custody of the other, each of them has the right to visit the child at his or her place of residence. In the event of opposition to this, the judge may order the enforcement of this right and specify the manner in which it can be exercised immediately without the need for an order from a court of merits. The problem of visiting rights is one of the most important questions affecting the child following the parents' divorce or separation and concerted governmental and non-governmental endeavours are currently being made to provide suitable premises for such visits in order to prevent the child from being subjected to inappropriate traumatic experiences as a result of enforcement of visiting rights.

114. In Syria, it is not permissible to separate a child from his or her family unless they mutually agree that the child should be placed in the care of another family or a social welfare institution. However, under the Personal Status Act, custody or guardianship may be revoked by order of a judge, who must then designate a new guardian, taking the child's interests into consideration. Under the Juvenile Delinquents Reform Act, a juvenile who commits a legally punishable offence may be separated from his or her parents and placed in the care of either a social welfare centre run by the Ministry of Social Affairs and Labour or a licensed juvenile reform institution or association.

115. Article 7 of the Juvenile Delinquents Act No. 18 of 1974 stipulates that, if the parents or legal guardian of the juvenile do not meet the moral requirements or are incapable of undertaking his upbringing, he must be placed in the custody of a member of his family. Under the terms of article 8 of the same Act, if none of the juvenile's relatives are competent to undertake his upbringing, he may be placed in an institution or association qualified to do so.

116. The child has a natural right to live and develop in the care of his or her parents. However, if it is established that the parents have neglected their child's upbringing to such an extent that the child becomes delinquent and commits offences for which he or she cannot be punished under the provisions of the law, the child may be separated from the parents and placed in the care of a body that will undertake the requisite care and upbringing in a more trustworthy manner.

D. Family reunification (art. 10)

117. The Syrian Constitution expresses eagerness to ensure family unity by stipulating that no citizen can be exiled from the country. It also emphasizes every citizen's right to freedom of movement within the territory of the State unless such is precluded by a court order or pursuant to public health and safety enactments (art. 33 of the Constitution).

118. Syrian law permits departure from the territory of the Republic and return thereto by holders of passports or legally recognized travel documents. Article 1 of the Passports Act No. 42 of 31 December 1975 stipulates as follows: "Persons holding the nationality of the Syrian Arab Republic have the right to leave and return to the territory of the Republic only if they hold passports or travel documents in accordance with the provisions of this Act". Article 7 of the said Act further stipulates that: "Passports shall be issued to every Syrian Arab citizen or Palestinian refugee in the Syrian Arab Republic who meets the conditions for the acquisition thereof".

119. According to article 4 of Ordinance No. 321 promulgated by the Syrian Minister of the Interior on 31 March 1979: "When they are issued, passports and travel documents may include the holder's spouse, as well as his children under 16 years of age, if they accompany him on his journey". Article 9 of the same Act further stipulates that minor children may be issued with a single passport or travel document if their guardian wishes them to travel unaccompanied.

E. Recovery of maintenance for the child (art. 27, para. 4)

120. The legal principle is that every person should be maintained from his own financial resources (art. 154 of the Personal Status Act). However, if the child has no financial resources, the father is responsible for the child's maintenance unless he is indigent or incapacitated, in which case the maintenance is payable by the person who would be responsible therefor in the father's absence (art. 156 of the Personal Status Act). Payment of maintenance continues until marriage, in the case of a girl, or until a boy reaches the age at which his peers are capable of earning a living (art. 155 of the Personal Status Act).

121. Article 161 stipulates that: "Maintenance of relatives may be ordered from the date on which it is claimed. The judge may order payment of child maintenance by the father in respect of a period not exceeding four months prior to the date on which it is claimed".

F. Children deprived of their family environment (art. 20)

122. The Syrian Government is endeavouring, through constant public awareness campaigns, to safeguard the cohesion and unity of the family and protect it from corruption and disintegration. The competent authorities provide alternative care for this category of deprived persons through the social welfare institutions that offer shelter to young orphans and vagrants, foundlings, children of unknown parentage and children deprived of family care and meet all their needs in regard to various forms of health, pedagogical, psychological and educational care from infancy to the age of 18 years so that they can become citizens who are a credit to themselves and to their community and also in order to protect them from the risk of delinquency. There are 40 governmental and private institutions of this type.

123. Day care is also provided for children of nursery-school age at the day nurseries that have been established in all the governorates of the Syrian Arab Republic.

G. Adoption (art. 21)

124. Adoption is not recognized in the Syrian legal system and the Syrian Arab Republic expressed reservations concerning the right of adoption, which conflicts not only with the provisions of the Islamic Shari'a which prevail in the country but also with the provisions of national legislation for which Islamic legislation constitutes one of the principal sources, as stipulated in article 3, paragraph 2, of the Constitution. Although adoption is not recognized, Syrian legislation permits filiation. The concept of filiation is similar to the system of adoption, the difference between them lying in the fact that, under the adoption system, one or both of the parents must be known whereas, under the filiation system, the filiated child must be of unknown parentage or the offspring of an unlawful marriage.

125. There are also alternative care arrangements for foundlings and children of unknown parentage, who can be placed in foster families under the terms of contracts concluded between those families and the Minister for Social Affairs

and Labour in his capacity as the guardian of those children until they reach the age of 18 years. These families are required to be both willing and able to care for those children. Further information is given in paragraphs 104-110.

H. Illicit transfer and non-return of children abroad (art. 11)

126. Syrian law protects children from abduction and illicit transfer, which constitute punishable offences under the terms article 478 of the Penal Code, which stipulates that: "Anyone who abducts or conceals a child under seven years of age shall be punished by imprisonment for a term of three months to three years". Article 461 further stipulates: "1. Anyone who abducts or takes away a minor under 18 years of age, even with the latter's consent, with a view to removing him from the custody of his legal guardian shall be punished by imprisonment for a term of six months to three years and a fine. 2. If the minor is under 12 years of age or is abducted or taken away by deceit or force, the penalty shall be a term of imprisonment with hard labour". According to article 482: "A father, a mother or any other person who fails to comply with a court order by refusing to hand over a minor under 18 years of age shall be punished by imprisonment for a term of three months to two years and a fine".

127. The Personal Status Act places some restrictions on the transfer of children in so far as article 148 thereof stipulates that: "The mother, while she is married, does not have the right to travel with her child without the consent of the child's father".

128. Under the terms of article 149 of the Act: "If the woman holding custody is not the mother, she does not have the right to travel with the child without the consent of the child's father".

129. Under the terms of article 150 of the Act: "The father does not have the right to travel with the child during the period when the child is not in his custody without the consent of the woman holding custody of the child".

I. Maltreatment and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)

130. Under Syrian law, dereliction of family duties is a punishable offence. Article 487 of the Penal Code stipulates that: "A father or mother who leave their legitimate or illegitimate child, or a child whom they have adopted, in a state of need by refusing to fulfil their obligation to support the child or neglecting to procure the means needed to enable them to fulfil that obligation shall be punished by imprisonment with compulsory labour for a term of up to three months and a fine".

131. Child abandonment is also punishable under the provision which stipulates that anyone who abandons a child under seven years of age or any other person incapable of protecting himself due to a physical or mental condition shall be punished by imprisonment for a term of three months to one year.

132. Article 6 of the Juvenile Delinquents Act stipulates that: "If the guardian of the juvenile or the person in whose custody the juvenile is placed in accordance with the provisions of this Act neglects his legally prescribed duties, he shall be liable to a fine". Under article 14 of the Act: "The court shall impose a fine on the guardian of the juvenile if it finds that the juvenile's delinquency is attributable to neglect on the part of the guardian".

133. The Ministry of Social Affairs and Labour, acting in collaboration with the bodies concerned and, in particular, with the Ministry of Education, is endeavouring to rehabilitate neglected and delinquent juveniles at specialized institutions such as the juvenile reform centres that were established under the terms of Act No. 60 of 1950, as amended, and at the child and foundling care centres established under the terms of Act No. 107 of 1970.

134. Through its directives, ordinances and practices, the Ministry of Education is endeavouring to respect the human personality of children and treat them in accordance with the most modern pedagogical methods with a view to ensuring the child's sound and balanced physical and mental development, social integration and moral excellence, providing the child with the basic knowledge and orientation needed to enable the child to make his or her way in everyday life as an active and productive citizen, and preparing the child to fulfil this role at all stages of education.

135. The General Sports Federation opens sports training centres and special clubs for children with a view to furthering their physical development.

136. The governmental authorities and non-governmental organizations are taking appropriate legislative and administrative measures to protect children, with emphasis on the need to protect them from violence, negligence and ill-treatment even if they are in the care of their legitimate parents.

J. Periodic review of placement (art. 25)

137. The social and reform institutions in which delinquent children and children deprived of alternative family care are placed, as well as the foster families in cases in which fostering is officially approved, are subject to supervision by the Ministry of Social Affairs and Labour. This Ministry has specialized departments for this purpose, including the Social Welfare Department and the Child Welfare Department which draw up the internal regulations of social welfare institutions, juvenile delinquent reformatories and surveillance centres. These departments employ a number of technical specialists, sociologists and psychologists who monitor and prepare periodic social reports on each case.

138. The Ministry of Health, in collaboration with the Ministry of Social Affairs and Labour, supervises health conditions at the social welfare institutions.

139. In spite of the large scope of the services provided by the Government and volunteers, practical difficulties are impeding achievement of the required standard of care. The main difficulties are:

(i) The quantitative and qualitative inadequacy of welfare institutions in some of the country's governorates, especially in rural areas.

(ii) The lack of experienced staff and training programmes at these institutions.

(iii) The lack of accurate statistics on children in need of care.

VI. BASIC HEALTH AND SOCIAL WELFARE

A. Survival and development (art. 6, para. 2)

140. In this field, the Ministry of Health in the Syrian Arab Republic is providing numerous services for children including, in particular:

(i) The requisite health care for women during pregnancy in order to ensure the birth of a healthy child.

(ii) Health care during delivery in order to ensure that the birth takes place in proper sanitary conditions and under the supervision of trained specialists in order to minimize the occurrence of congenital defects that would leave the newborn child deformed.

(iii) Initial examinations of children, providing them with ongoing health care, monitoring their mental and motorial development, keeping their physical growth under observation, detecting the occurrence of any sensory or motorial defect or abnormality, endeavouring to treat or alleviate the effects of such abnormalities, and promoting the child's social integration.

B. Disabled children (art. 23)

141. The State takes care of every citizen and his family in cases of emergency, sickness, disability, orphanhood and old age. The State also protects the health of its citizens and provides them with preventive, therapeutic and medicinal care facilities.

142. The problem of the disabled is one of the social problems for which the Syrian Arab Republic has shown great concern. Estimates of the magnitude of the problem of the disabled, as well as the definition of some of the characteristics of this problem, are based on the statistics provided by the consecutive population consensuses carried out in the country in the years 1960, 1970, 1981 and 1991. The number of disabled persons in the Syrian Arab Republic amounted to 92,436 in 1981 and 129,126 in 1991, bearing in mind the fact that the total population increased from 10 million in 1981 to 13 million in 1991. The following table gives a breakdown of these disabled persons by type of disability.

Type of disability	1981	1991
Visual disability	12 821	18 047
Auditory disability	15 789	22 057
Mental disability	14 062	19 645
Physical disability	33 012	46 116
Other disabilities	16 652	23 261
Total	92 436	129 126

143. In the light of the functions assigned to the Ministry of Social Affairs and Labour and the general attitude towards the disabled, as advocated in international and Arab covenants and social action strategies, under which the disabled are regarded as a social category requiring attention and various forms of care in such a way as to integrate them into the socio-economic development process in the country, the State has included in its plans, exemplified by the plans of the Ministry of Social Affairs and Labour, numerous projects most of which have been put into effect and the remainder of which are awaiting finalization. The purpose of the services provided within the framework of these projects is to educate, rehabilitate, train and find employment for disabled persons with a view to integrating them in society.

144. Syria has a number of institutions specialized in caring for the disabled. These institutions, which have been established in most of the country's administrative centres, are endeavouring to help disabled persons to exploit their remaining capacities and adapt to, and integrate in, society by providing them with educational, orientation, rehabilitation and training services in addition to the care received by boarders whose circumstances do not enable them to reside outside the institution. These institutions are:

Four institutions, established in accordance with Legislative Decree No. 40 of 1970, for the upbringing and education of deaf and dumb persons in the cities of Damascus, Homs, Lattakia and Aleppo. They are providing services for about 1,000 male and female children;

Two institutions for the education and rehabilitation of blind persons in the cities of Damascus and Aleppo, from the services of which about 500 male and female students are benefiting. These blind persons receive education at all three levels (primary, preparatory and secondary) in addition to vocational training in some occupations to which the blind are suited (bamboo and wickerwork, etc.). These two institutions were established in accordance with Legislative Decree No. 144 of 1958;

Two schools for physically disabled children in the cities of Aleppo and Damascus, from the services of which about 300 male and female children are benefiting;

Five schools for mentally retarded children at Damascus, Homs, Aleppo and Lattakia, from the services of which about 500 male and female children are benefiting;

Two centres for children afflicted with cerebral palsy in the cities of Damascus and Homs, from the services of which about 300 male and female children are benefiting.

145. The Ministry of Social Affairs and Labour supervises the charitable associations caring for the disabled, such as the associations for the care of the blind, the deaf and dumb and the mentally retarded. The Ministry also supervises the institutions run by those associations, namely:

The school for deaf children, which the Association for the Care of the Deaf and Dumb is operating at Damascus and which is attended by about 100 male and female children;

Two schools for mentally retarded children at Damascus, which are attended by about 200 male and female children.

146. The Ministry of Social Affairs and Labour is also providing disabled children with vocational training at the Vocational Training Centre for the Disabled at Damascus, which was established in accordance with Legislative Decree No. 54 of 1970 and which provides services for about 200 disabled male and female students, most of whom are suffering from motorial, auditory and speech disabilities. This Centre provides disabled persons with training and instruction in occupations appropriate to their condition and abilities and also provides them with the social, educational and health services needed to facilitate their social integration. The Centre provides disabled persons with training in the following occupations: carpentry, male and female tailoring, knitting, shoemaking, watch and clock repairs, electronics, typing and photography. There is also a plan to develop existing occupations and introduce new occupations suited to the local market in order to enable graduates from the Centre to find suitable employment.

147. In spite of the endeavours made to provide various types of care, all of which are free of charge, there are still some obstacles, such as the following:

Some births still take place without the supervision of trained and experienced staff, as a result of which mothers face complications and children suffer from congenital deformities. There is a need for nearby first-aid centres to which difficult deliveries can be rapidly referred.

Services are not available in all the country's governorates, being confined to some administrative centres.

Nursery schools and kindergartens are not available for disabled children in general and mentally retarded children in particular.

The existing institutions lack the requisite equipment.

There is a shortage of technical staff working in this field and they require further training.

There are no institutions for persons suffering from multiple and severe disabilities.

C. Health and health-care services (art. 24)

148. The Ministry of Health and its various institutions in the governorate provide all citizens with primary health-care services. Treatment and preventive health services are also provided at the various health institutions, at which emphasis is placed on mother and child care and family planning services. The other governmental health institutions provide services for various sections of the population, including children and pregnant women.

149. To this end, the Ministry of Health is making the following endeavours:

(i) It is developing and expanding therapeutic medicine, referral institutions and the first-aid system.

(ii) It is assigning medical and health personnel to its various branches in order to cover all governorates and areas and ensure availability of the various specialists needed to keep pace with new scientific developments.

(iii) It is seeking to ensure the horizontal diffusion of the 730 health centres and the 137 medical units, in addition to establishing further mother and child care facilities to serve the outskirts of the major cities as well as rural areas.

(iv) It is developing health manpower in the public health, family and social sectors by providing ongoing training through symposia, training courses, meetings and study missions abroad. It is also establishing a data-based supervisory and monitoring system for purposes of ongoing evaluation with a view to ensuring the proper implementation and progress of the various programmes by conducting supplementary tests to keep pace with modern scientific developments, meet the material requirements for this purpose and ensure ongoing maintenance and the requisite troubleshooting.

(v) It is improving administrative procedures by issuing organizational decisions to regulate work and drawing up job descriptions for health workers at all levels.

(vi) It is establishing a logistics system to ensure the continued availability of all materials without interruptions or bottlenecks, together with the records, index cards and reports needed for data processing purposes.

(vii) It is providing the basic medicines needed for primary health-care programmes and is encouraging and monitoring the national pharmaceutical industry.

(viii) It is developing public health laboratories in the Ministry and the governorates in order to meet the needs of the health programmes.

(ix) It is endeavouring to provide comprehensive services, increase the service coverage rates and define the role of all governmental and non-governmental bodies in order to ensure that health services are available to all citizens It is also coordinating with the popular organizations and information media concerned with a view to maintaining a generally healthy environment.

(x) It is coordinating with the bodies concerned in order to ensure a supply of clean drinking water and technically sound and sanitary drainage.

150. The report of the Ministry of Health on the implementation of the national programme for the survival, protection and development of the child showed that the Ministry had succeeded in achieving the following results:

(i) Child health

151. In 1993, the child and infant mortality rates declined to 34.6 per thousand after running at about 135 per thousand in the 1960s. The mortality rate for children under 5 years of age also dropped to 44 per thousand.

152. In 1994, the incidence of neonatal tetanus amounted to 74 cases representing a rate of less than 0.1 per thousand live births. In the light of the WHO indicators concerning the concept of the eradication of neonatal tetanus when the rate falls below 1 per thousand births, the situation in Syria is very good in regard to the eradication of this disease.

153. There has been a decline in the number of cases of measles and also in the mortality rate from this disease. The number of cases of measles dropped from 2,300 in 1993 to 1,334 in 1994 and the mortality rate from measles likewise dropped from 11 deaths in 1993 to 1 death in 1994. A second dose of measles vaccine at the age of 15 months has been included in the schedule of the national vaccination programme since 1993. The measles vaccine has been administered to schoolchildren in the first primary grade since 1993 and is due to continue being administered during the following four-year period.

154. Mortality from diarrhoea has declined due to the wider use of salts and the establishment of rehydration sections and units at health centres and hospitals, in addition to the health awareness and education campaigns which have emphasized the importance of the use of packaged food. No accurate statistical information is available concerning mortality rates from diarrhoea or other indicators.

155. There has been a decline in the number of cases of, and deaths from, respiratory infections and a new programme to combat acute respiratory infections in children has been introduced in a number of governorates and is expected to cover all the governorates within the next two years. Consequently, it is too early to assess the programme's effect in reducing mortality.

156. The high coverage rates of the various vaccines among children under one year of age have been maintained. In 1994, the coverage rate for these children was as follows:

Anti-tuberculosis vaccine - 100 per cent
The triple vaccine (tetanus/diphtheria/whooping cough) and infantile paralysis, third visit - 89 per cent
Measles vaccine - 84 per cent
Hepatitis B vaccine, third visit - 64 per cent

157. The incidence of infantile paralysis has declined as follows:

1990 - 24 cases of infantile paralysis
1991 - 22 cases of infantile paralysis
1992 - 13 cases of infantile paralysis

No cases were reported in 1993 and 1994. The incidence of infantile paralysis was reduced as a result of the country's contribution to the international endeavours made to eradicate this disease. This contribution included intensification of the monitoring and investigation of cases of acute and non-acute paralysis, the formation of committees to monitor these cases, the establishment of final diagnoses, the construction and development of a national laboratory for viruses, including infantile paralysis, at which various specimens are tested, the celebration of national anti-infantile paralysis vaccination days, each comprising two rounds and covering children aged 5 years and under, in 1993, 1994 and 1995, the designation of high-risk areas (cleansing of pockets), in which special campaigns were conducted, and the exchange of information and coordination with international organizations.

(ii) Health care for mothers

(a) Care of pregnant women, and high-risk pregnancies

158. In 1994, the percentage of pregnant women who consulted the health authorities amounted to 64 per cent in urban areas and 37 per cent in rural areas. These percentages are linked to the existence of difficulties during pregnancy and the extent of awareness of the availability of services for pregnant women.

159. The proportion of women of child-bearing age who received the second and further doses of anti-tetanus vaccine amounted to 92 per cent. Emphasis was placed on coverage of high-risk areas in regard to neonatal tetanus, particularly rural districts and urban suburbs.

(b) Mother and child health

160. According to the mother and child health survey conducted in the Syrian Arab Republic within the framework of the Arab project for the advancement

of children, the maternal death rate dropped to 107 per 100,000 live births in 1993, as compared with 143 per 100,000 live births in 1990 and 280 per 100,000 live births in the early 1970s. It should be noted that the target set in the national plan of action for the survival, protection and development of children was to reach a rate of 105 per 100,000 live births by 1995.

161. The causes of mortality are haemorrhage, rupture, concussion or retroversion of the uterus and, primarily, the large percentage of high-risk pregnancies. Accordingly, the country's health-care programmes focus on improvement of maternity services during pregnancy, confinement and delivery, enhancement of the referral and early detection system in the case of high-risk pregnancies, better nutrition for women of child-bearing age, and improvement of family planning programmes.

(iii) Services in general

162. With regard to services in general:

(a) Increased use is being made of the overall care services provided by the various bodies and mother and child care and family planning units are being consulted to an increasing extent. Although there are no statistical indicators, the Ministry of Health is preparing a health map showing the number, names and geographical distribution of the health centres, as well as the number of persons living in the area that they cover, as a basis for the calculation of utilization rates.

(b) The results of the mother and child health survey show that the fertility rate dropped to 4.2 per cent in 1993 after running at 6.80 per cent in the 1980s.

(c) The proportion of deliveries that take place under the supervision of qualified personnel is increasing.

(iv) Nutrition

163. With regard to nutrition:

(a) The Ministry of Health, in collaboration with international organizations, is drawing up a plan for a nutrition programme comprising numerous strategies for the achievement of specific goals.

(b) Preparations are being made to undertake studies of some nutrition indicators.

(c) A study of iron deficiency anaemia in children and pregnant women, which was conducted in 1995, showed that the incidence of iron deficiency anaemia among women of childbearing age amount to 45 per cent and was about 40 per cent higher among pregnant women and children.

(d) The average incidence of iodine deficiency was 73 per cent. This problem was tackled initially by administering injections of oleaginous iodine, but reliance was subsequently placed on iodized salt as part of a national strategy and this 90 per cent iodized salt was made available on the local markets at prices acceptable to the consumer.

(e) With regard to vitamin A, no accurate data concerning the extent of the problem is currently available. We are now in the process of preparing and designing a study on the subject.

(f) With regard to maternal breast-feeding, 90 per cent of children are breast-fed for an average period of 13.5 months. The proportion of women who confine themselves to natural breast-feeding of their children for a period of 4-6 months amounts to 86.8 per cent.

(g) Ten Friends of the Children clinics have been established and plans are being made to increase their number to 20.

(h) The percentage of underweight births (under 2.5 kg) amounts to 11 per cent and it is hoped to reduce this rate to less than 10 per cent.

D. Social security and child-care services and facilities (art. 26 and art. 18, para. 3)

164. The State is endeavouring to make social security available to all members of Syrian society, including children. Partial coverage in this field is provided through the insurance/pensions and social insurance schemes. Through the voluntary associations, the Ministry of Social Affairs and Labour is supervising the 34 orphanages that are caring for male and female orphans in all parts of the Republic and providing them with the various services that they need in daily life.

E. Standard of living (art. 27, paras. 1-3)

165. The State has endeavoured, through the implementation of its successive socio-economic development plans, to secure employment opportunities for all members of the country's labour force, thereby helping to achieve an appropriate standard of living for its citizens and their families, including children.

166. The State is bearing the cost of the subsidization of basic foodstuffs such as bread, sugar, tea, rice, milk for children and fuel price differentials. The State is also bearing the cost of education at all levels, which all citizens receive free of charge, and is also providing health and social services free of charge to indigent persons and their families. This has helped to protect various sections of the people and ensure an acceptable standard of living.

167. The State grants working women a family allowance in respect of their children if they are widowed or divorced or if their husband does not receive a family allowance from the State Treasury.

168. Syria is benefiting from a limited amount of international assistance in the field of food and health.

169. The statistics concerning the annual per capita share of GNP and national income in Syrian pounds in the years 1990, 1992 and 1993 show that it was sufficient for the country's citizens.

Year	1990	1992	1993
Per capita share of GNP and national income	LS 21 336	LS 27 615	LS 28 703

170. In spite of the endeavours that the State and society are making to ensure the availability of adequate and appropriate food from various sources, they are facing many obstacles that are reducing the beneficial impact of these endeavours on the food, health and economic situation. Some of the principal obstacles are:

Demographic factors exemplified by the high annual population growth rate, estimated at 33.1 per thousand, the large family size and the high dependency ratio, which adversely affect the per capita share of income and food;

Fluctuating climatic factors which effect rainfall rates and the levels of watercourses and aquifers as sources of irrigation water;

Basic environmental factors manifested in the lack of iodine in the soil and the natural environment in general, which leads to the widespread proliferation of the clinical phenomenon of iodine deficiency among the population and affects the health of mothers and even unborn children. The Ministry of Health has implemented an iodine deficiency programme;

The low level of nutritional and health awareness among some sections of the population, and unbalanced diet, which leads to cases of iron deficiency anaemia among children, who are also repeatedly afflicted with infectious diseases. Nevertheless, the nutritional standard in Syria is generally regarded as good in comparison with other States of the region. The per capita food intake, in terms of calories, is high and falls within the approved international standards. However, there is a quantitative and qualitative nutritional disparity which is affected by some local factors, such as geographical distribution, income level, family size, level of nutritional awareness and the overall impact of the socio-economic development process on citizens.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational education and guidance (art. 28)

171. The Government of the Syrian Arab Republic has shown great concern for education, which is made available free of charge to all citizens in

keeping with the principle of educational democracy which was adopted after the triumph of the Corrective Movement led by our valiant President Hafez al-Assad.

172. Under the terms of the Compulsory Education Act No. 35 of 1981, the legal guardians of all children between 6 and 12 years of age have an obligation to enrol them for the stage of primary education.

173. The Eradication of Illiteracy Act No. 7 of 1972 constituted a considerable leap forward in the field of the eradication of illiteracy since it outlined a new strategy that was adopted by the Higher Council for the Eradication of Illiteracy and is being implemented by the Ministry of Culture in collaboration with other official and popular bodies. The Eradication of Illiteracy Act applied to all male and female citizens without distinction and placed every educated person over 18 years of age under an obligation to contribute to the process of eradicating illiteracy as a national, pan-Arab and humanitarian duty. During this mass campaign, the Higher Council for the Eradication of Illiteracy focused primarily on the age group 13-45 years.

174. Legislative Decree No. 13 of 29 June 1994 called for the introduction of vocational education at the secondary educational level.

(i) The stage of early childhood, comprising:

(a) Day nurseries

175. Article 139 of the Labour Act No. 91 of 1959 stipulated that every employer employing 100 or more workers must provide a day nursery for the children of his female workers. Ministerial Ordinance No. 156 of 1972, promulgated pursuant to the above-mentioned article, specified the conditions that must be met in regard to the construction and furnishing of day nurseries.

176. The Office of the Prime Minister promulgated Circular No. 1908/1/31 of 1 July 1983 stipulating that day nurseries and kindergartens must be established in every residential, labour or school complex containing a number of children, particularly children of working mothers.

177. Subsequent to the promulgation of the State Employment Statute No. 1 of 1985 and the Model Internal Regulations for Public Bodies, which were approved by the Prime Minister in Decision No. 3803 of 20 November 1985, as amended, the Minister for Social Affairs and Labour promulgated Ordinance No. 231 of 22 March 1990, amending Ordinance No. 81 of 2 February 1985, after seeking the opinion of the Ministry of Health and the General Federation of Labour Unions concerning determination of the conditions for the establishment of day nurseries for the children of mothers working for public bodies.

178. The day nurseries established by public and private bodies, as well as those established by the Women's General Federation and the General Federation of Labour Unions, look after children under three years of age and provide them with various forms of care under the supervision of properly trained personnel.

179. In order to enable all children of nursery-school age to benefit from the services offered by day nurseries, there is a need to expand the network of these nurseries, develop their services and provide them with material and technical support.

(b) Kindergartens

180. The kindergartens, which constitute the stage prior to primary education, accept children between three and six years of age.

181. The Ministry of Education, the Women's General Federation, the Teachers' Union, as well as some other Ministries and institutions in the private sector, have opened kindergartens but they still need support in order to develop them and improve the standard of their services.

182. The Office of the Prime Minister issued Circular No. 1908/1/31 of 31 July 1983 with a view to improving education at this stage by establishing day nurseries and kindergartens in every residential or school complex containing a sufficient number of children, particularly children of working mothers.

183. In the academic year 1994/95, there were 1,061 kindergartens serving 90,530 male and female children, i.e. 6-7 per cent of the total number of children of kindergarten age. These kindergartens were staffed by 4,020 teachers.

(ii) The stage of primary education

184. In Syria, special concern is shown for primary education at all political, legislative, executive and popular levels and it benefits from the personal care, attention and supervision of President Hafez al-Assad, President of the Syrian Arab Republic.

185. In the academic year 1993/94, the total number of primary schools amounted to 10,219, of which 97.7 per cent were government schools. In the academic year 1993/94, the total number of primary school pupils amounted to 2,624,594, of whom 1,224,642 were girls. Hence, the pupil absorption rate at the primary stage was 99.7 per cent and the proportion of those who completed the primary stage amounted to 91 per cent. The number of permanent, auxiliary and contracted primary education and kindergarten teachers amounted to 114,800, of whom 74,645 were women.

(iii) The stage of preparatory education

186. This stage, which the State is endeavouring to make compulsory, is regarded as part of the stage of secondary education and involves a three-year period of study.

187. In the academic year 1993/94, the total number of preparatory schools amounted to 2,342, including government and private schools. In the academic year 1993/94, the total number of preparatory school pupils amounted to 676,984, of whom 293,455 were girls.

(iv) The stage of general secondary education (non-technical secondary education)

188. The period of study is three years, of which the first year is single-stream, while students in the two subsequent years are divided into two streams: science and arts.

189. In the academic year 1993/94, there were 954 government and private secondary schools attended by 169,566 students, of whom 77,542 were girls.

(v) Technical and vocational education

190. The Ministry of Education shows regard for the need to provide vocational guidance at the kindergarten and primary stages of education by instilling in pupils a sense of respect for the value of labour and workers, ensuring that pupils engage in appropriate manual activities, developing their skills and taking care to equip them with manual and technical skills that will enable them to engage in productive work in and outside the school. Application of the system of school laboratories and small workshops has helped to establish an interlinkage between theoretical and practical education and achieve a balance between the various aspects of the child's development.

191. In the academic year 1993/94, the number of male and female students receiving technical and vocational education amounted to 68,992. There were 649 technical and vocational schools staffed by 10,580 persons (teachers and administrative personnel).

(vi) Eradication of illiteracy

192. According to the statistical data provided by the Central Bureau of Statistics, illiteracy rates among citizens have declined considerably as a result of the endeavours made in this field. The following table shows the illiteracy rate by age group in the years 1981 and 1993.

Age group	1981			1993		
	Male	Female	Total	Male	Female	Total
15-24	11.2	41.0	25.7	4.0	12.4	8.2
25-44	23.3	67.7	45.55	9.2	37.5	23.0
45 and above	53.0	88.9	70.3	18.1	39.4	82.3
Grand total	22.1	55.2	38.3	11.2	30.6	20.6

193. The Ministry of Culture has adopted sophisticated principles for the development of education programmes for adult illiterates and has incorporated fundamental principles concerning population, environmental and health education in the new books prepared for the basic and follow-up stages. The teacher training programme has also been developed in keeping with the content of the World Declaration on Education for All, with emphasis on the post-illiteracy follow-up stage.

194. All the plans and projects implemented in the field of the eradication of illiteracy have shown special concern for girls and women in view of their social status, which needed to be improved without discrimination between the respective situations of women and men. This was done in collaboration with the Ministries and popular organizations concerned, particularly the Women's General Federation and a number of Arab and international organizations which implemented experimental and pilot projects for the education and vocational training of young rural women.

195. The Ministry published a series of simplified brochures for persons who had recently been emancipated from illiteracy. These brochures were entitled "The Education of the Arab Child", "General Family Health", "The Fundamental Rules for Health", "Protection from Disease", "Environmental Pollution", "How to Benefit from Solar Energy for Purposes of Health Education and Family Welfare", as well as a special brochure the content of which was derived from the book "Facts of Life".

196. All the projects that were implemented with a view to providing rural women with education and vocational training, raising their level of health awareness and introducing population education concepts in the eradication of illiteracy programmes had a positive impact in improving the standards of mothers and thereby benefiting their children.

197. In order to further reduce the illiteracy rate among citizens, there is a need for greater support for the comprehensive plan for the eradication of illiteracy, which was drawn up by the Ministry of Culture and approved by the Higher Council for the Eradication of Illiteracy and which focuses on the 13-45 age groups.

B. The aims of education (art. 29)

198. In keeping with the general aims of education in the Syrian Arab Republic, the aims of the kindergarten stage were defined as endeavours to develop the child's personality, to impart humanitarian values and a sense of respect for labour, cooperation, rights and property, to develop the child's ability to solve problems, and to facilitate the acquisition of the requisite knowledge, skills and experience, including awareness of the need to protect the environment.

199. The aims of the primary stage of education were defined as endeavours to promote the child's full and balanced development, to provide the basic knowledge and orientation needed to enable the child to make his or her way in everyday life as an active and productive citizen, and to prepare the child to continue his or her studies at the various other educational stages.

200. The Ministry of Education has taken numerous important and comprehensive preparatory measures to apply basic education in accordance with the view that education constitutes an innovative pedagogical method of providing the young generation with the most appropriate amount of knowledge, experience and values in such a way as to enable them to pursue their academic and vocational training at subsequent stages by establishing an interlinkage between

education and work and between knowledge and life. The Ministry of Education has also shown due concern for rural education and has taken the necessary steps to link rural education to the local community in an interactive way.

201. The Ministry has also shown great interest in the use of modern technologies for the transmission of information to schoolchildren and students and has introduced the subject of computer science in its educational programmes. However, the Ministry still needs further support to develop these services.

C. Leisure, recreation and cultural activities (art. 31)

202. The Ministry of Education is continuing its endeavours to encourage students to take advantage of their leisure time by engaging in mutually complementary intramural and extramural academic and non-academic activities and is providing them with the technical and material means to achieve this goal. Highly advanced methods have been developed, in collaboration and coordination with the popular organizations concerned, particularly the Tala'i al-Baath (Baath Vanguard) and the Shabibat al-Thawra (Revolutionary Youth) organizations, to ensure that these activities supplement the school curricula in an integrated manner.

203. The role of the Tala'i organization begins with children aged six years and above and complements their formal educational activity. The organization's aim is to promote the psychological, intellectual, physical and social development of children and achieve a balance between the theoretical programmes and their practical applications.

204. Its plans include the holding of national festivals and art, environmental, scientific, technical education and agricultural exhibitions and the establishment of summer clubs and children's playgrounds, as well as the preparation of television and radio programmes, the establishment of folklore, theatrical and musical groups and the organization of specialized and advanced courses for teachers and study groups for children. The Tala'i al-Baath also organizes summer camps and establishes the necessary facilities to promote children's activities, meet their cultural and artistic needs, stimulate their awareness of social development issues, protect them and develop their skills and talents. The organization's programmes are linked to general social, environmental, cultural, national and humanitarian issues and thereby help to further the child's rapid social adaptation. All these activities require appropriate facilities, equipment, tools and raw material and these requirements increase year after year as the programmes are expanded and rendered more effective.

205. The Shabibat al-Thawra (Revolutionary Youth) Federation caters for the needs of children aged 12 years and above. It offers developmental, sports, artistic, educational, scientific, technical, cultural, tourist and information activities and programmes, establishes sports centres, holds art and cultural festivals and various exhibitions, organizes educational courses and production camps and supervises some special radio and television programmes.

206. The Women's General Federation caters for the needs of women and young girls aged 14 years and above. Its main activities consist in the organization of vocational training courses, cultural symposia, various exhibitions and summer clubs for children, as well as the preparation of special radio and television programmes for families and the publication of the women's monthly magazine Al-Mar'a with a view to increasing the health, social and legal awareness of women.

207. The General Sports Federation also caters for the welfare of children by providing them with the means to engage in sports and physical education through the establishment of all types of sports facilities, training centres and sports clubs. Children are given an opportunity to choose, of their own free will, the sport that they wish to practise and the physiological condition of every child is checked to make sure that the chosen sports are conducive to the development of his or her abilities, talents and creativity. To this end, the Federation has established sports training centres which help to train children who have not yet reached the age at which they can participate officially in these types of games. Since 1983, about 700 such training centres have been established throughout the country.

208. Children benefit from the leisure and recreational activities organized by the Ministry of Culture, pursuant to the slogan "Culture for all and in the service of all", in a number of fields. For example, the Ministry organizes the writing, translation and printing of children's books and makes popular culture readily accessible through the 40 popular cultural institutes and the 113 cultural centres that have been established in all parts of the Syrian Arab Republic and which pay special attention to children through the various forms of activities that they offer and through the children's library that is found in each centre, in addition to the puppet theatre, the roving theatre and the Arab expressionistic music and dance academies for children. Plastic arts centres have also been established. Moreover, prizes are awarded for short children's films at the Damascus Film Festival that is held every two years. It is noteworthy that the Al-Assad National Library at Damascus, which contains 6 million books, shows special concern for children, for whom special reading rooms have been set aside. All these activities need further material and technical support in order to enable all children to benefit from them.

209. The children's radio and television programmes prepared by the Ministry of Information offer children an opportunity to devote some of their leisure time to useful cultural, scientific and entertainment programmes.

210. In order to provide children with more opportunities to use their leisure time in a beneficial manner, there is a need to:

(i) Establish more children's playgrounds in urban and rural areas;

(ii) Establish more children's libraries containing reading, drawing, computer and educational games rooms in urban and rural areas;

(iii) Establish more children's clubs in urban and rural areas.

VIII. SPECIAL PROTECTION MEASURES

A. Children in states of emergency

1. Refugee children (art. 22)

211. Palestinian refugee children are subject to the same legal system as Syrian children in all matters pertaining to their health, education and entitlement to services.

212. The United Nations Relief and Works Agency for Palestinian Refugees and UNICEF are both providing health, educational, social and cultural services for Palestinian children. Nevertheless, these children are still suffering from a low standard of living due to the large size of their families.

213. Palestinian children are suffering from the lack of an education system at the day nursery and kindergarten stage preceding their enrolment at government schools. In Syria, there are only 31 Palestinian kindergartens catering for about 4,000 children, i.e. less than 6-7 per cent of the total number of children in the age group 3 months-6 years. However, many Palestinian children attend Syrian day nurseries and kindergartens.

214. UNRWA provides education at the primary and preparatory levels, in accordance with the curriculum prepared by the Syrian Ministry of Education, for more than 60,000 Palestinian schoolchildren in addition to those studying at the secondary level.

215. The cultural and educational activities available to Palestinian children are limited due to the relative lack of clubs and cultural centres for these children. However, it should be borne in mind that Palestinian children also benefit from all the Syrian cultural institutions.

2. Children in armed conflicts (art. 38), including physical recovery and social reintegration (art. 39)

216. Article 46 of the Syrian Constitution stipulates that: "The State shall take care of every citizen and his family in cases of emergency, disability, orphanhood and old age". Syria is committed to the international covenants and conventions that prohibit the enlistment of children in armed conflicts. Accordingly the age of compulsory military service is legally set at 19 years (art. 6 of the Military Service Act).

217. Syria is contributing to the deliberations that are currently taking place within the framework of the endeavours of the Committee on the Rights of the Child to draw up a draft optional protocol on the protection of children in armed conflicts.

218. As a result of the Israeli occupation of the Golan, 275,000 persons (46,000 families) were displaced and forced to relocate to other locations inside Syria. During that displacement, women and children suffered from the ordeals of poverty, disease and deprivation. However, the Government of the Syrian Arab Republic is making diligent endeavours to ensure that those displaced persons enjoy a minimum standard of living. These displaced

persons, including children, are looking forward to returning to their homes, farms and villages in the occupied Syrian Golan under the terms of a just and comprehensive peace based on the principles of international law in accordance with which the occupation should be terminated, the land should be restored to its owners and Israel should withdraw to the demarcation lines of 4 June 1967.

219. Children have been affected not only by the occupation but also by the psychological and social aspects of their lives and the conditions in which they are being educated as a result of Israel's policy of changing the educational curricula in the occupied Syrian Golan with a view to obliterating the cultural identity of its population. Israel's arbitrary practices, illustrated by the closure of schools in order to prevent students from receiving an education, constitute a violation of their basic human rights as recognized in the international conventions that guarantee and regulate the rights of civilians living under occupation.

220. Israel is violating the provisions of paragraphs 1 and 4 of article 38 of the Convention by refusing to implement Security Council resolution 497 (1981), in which the Council decided that the decision taken by the Knesset on 14 December 1981 to annex, and impose its laws, jurisdiction and administration on, the Golan was null and void and without international legal effect.

221. Israel is still refusing to apply the Fourth Geneva Convention of 12 August 1949, relative to the Protection of Civilian Persons in Time of War, to the occupied Syrian Golan. It is also refusing to comply with the relevant resolutions of the Commission on Human Rights, the Economic and Social Council and the General Assembly which, year after year, have urged it to respect the provisions of that Convention and cease its violations of human rights in the occupied Syrian Golan.

222. The Government of the Syrian Arab Republic is endeavouring to cater for the welfare of the children who lost their parents as a result of all the various wars and armed conflicts. It had established schools to provide the sons and daughters of the martyrs with all the services and types of care needed to further their proper social, educational and occupational development, to make them feel that they are living in a family environment and to compensate them for the loss of their martyred parents. Syria has three schools, in the cities of Damascus and Aleppo, for the sons and daughters of martyrs. In the academic year 1993/94, 418 boys and 278 girls were benefiting from the services provided at those schools.

B. Young offenders

1. Administration of juvenile justice (art. 40)

223. Syria has one of the world's most modern and advanced systems of juvenile justice. This system, which is based on the best interests of the child, seeks to curb and remedy the phenomenon of juvenile delinquency.

224. The State is giving special attention to the problem of juvenile delinquency, as can be seen from the legislation that it has promulgated concerning the procedures to be followed in the juvenile courts and ways to

punish and reform young offenders and protect them from delinquency. To this end, the Juvenile Delinquents Act No. 18 was promulgated on 31 March 1974.

225. Under Syrian law, juveniles over 7 but under 18 years of age can be prosecuted for any felonies, misdemeanours or contraventions that they commit. They are tried solely before special courts known as "juvenile courts", which are vested with independent and absolute jurisdiction in this regard.

226. Article 31 of the Juvenile Delinquents Act No. 18 of 1974 stipulates as follows:

> "Juveniles shall be prosecuted before special courts, known as 'juvenile courts', which shall take the following forms:
>
> (i) Full-time and part-time district courts competent to hear cases involving felonies or misdemeanours punishable by a term of more than one year's imprisonment.
>
> (ii) Summary courts, presided over by a justice of the peace, competent to adjudicate, in their capacity as juvenile courts, in cases involving other types of misdemeanours and contraventions."

227. Article 32 of the Juvenile Delinquents Act No. 18 of 1974 stipulates that:

> "(a) The full-time and part-time district juvenile courts shall consist of a presiding judge, two members holding the higher diploma who shall be selected by the Minister of Justice and two alternate members who shall be civil servants nominated by the Ministry of Higher Education, the Ministry of Social Affairs and Labour and the Women's Federation and who shall be appointed under the terms of a decree based on a proposal by the Minister of Justice.
>
> (b) The regular and alternate members of the juvenile courts shall be appointed for a renewable two-year term of office, on the expiration of which they shall continue to exercise their functions until a further decree is promulgated.
>
> (c) Hearings of the district juvenile court shall be attended by a representative of the Department of Public Prosecutions."

228. Article 33 of the Juvenile Delinquents Act No. 18 of 1974 reads as follows:

> "A special division of the Court of Cassation shall be established to hear juvenile cases."

According to article 34: "Judges appointed to the juvenile courts shall be selected on the basis of their experience of juvenile affairs, regardless of their rank or grade in the judicial hierarchy."

229. Article 37 of the Juvenile Delinquents Act No. 18 of 1974 stipulates as follows:

"Within its territorial jurisdiction, the juvenile court shall hear:

(a) Offences committed by juveniles.

(b) The cases referred to in article 27 of this Act if it is established, at the request of the Department of Public Prosecutions, the Ministry of Social Affairs and Labour or a probation officer, that the juvenile has no one to care for him or that he was neglected by the persons legally responsible for him.

(c) Offences involving the abandonment or neglect of children."

230. According to article 40 of the Juvenile Delinquents Act: "If an offence is committed by juveniles acting in association with adults, a distinction shall be drawn between the two categories and a special file shall be compiled for the juveniles, containing all the details of their involvement ...".

231. According to article 44 of the Juvenile Delinquents Act: "At any stage of the proceedings, the court may summon the juvenile's guardian or tutor, or the person in whose custody the juvenile is placed, or a representative of the body in the custody of which the juvenile is placed, together with a representative of the Social Service Office, if appropriate, or the probation officer and shall listen to the statements of these persons together with those of the juvenile."

232. The Juvenile Delinquents Act stipulates that, contrary to the procedural rule under which trials must be held in public, juveniles (children) must be tried in camera in order to keep the child's identity secret and prevent his or her future from being endangered (art. 49 of the Act). This confidentiality also applies at the time of arrest and investigation (art. 39 of the Act).

233. The Juvenile Delinquents Act prohibits publication of the transcript of the court hearings in order to protect the psychological and social integrity of the juvenile. It also prohibits any form of publication of a photograph of the juvenile, anyone who contravenes this provision being liable to prosecution (art. 54 of the Act).

234. Under the Juvenile Delinquents Act, a juvenile may be exempted from the requirement to attend the trial in person if the court deems such to be in the juvenile's best interests, particularly in cases involving offences against morality that are of a sensitive or degrading nature (art. 49 of the Act).

235. The Juvenile Delinquents Act exempts children from payment of legal fees, bail and stamp duty (art. 52 of the Act).

2. Children deprived of liberty, including any form of arrest, detention or imprisonment (art. 37 (b), (c) and (d))

236. The Juvenile Delinquents Act divides childhood into the following three stages:

(a) The first stage of childhood, from birth to seven years of age. During this stage, the child bears no criminal responsibility (art. 2 of the Juvenile Delinquents Act).

(b) The second stage of childhood, covering adolescents from 7 to 15 years of age. During this stage, although some legal proceedings may be instituted against them, the court cannot sentence them to any penalty whatsoever.

(c) The third stage of childhood, covering juveniles from 15 to 18 years of age.

237. During stages (b) and (c), the Juvenile Delinquents Act postulates the child's liability to reform and corrective measures. However, in order to protect the child's morals, these measures do not include imprisonment. The judge enjoys extensive discretionary power to determine the reform measure that can be applied to the child at this stage. These measures include:

(i) Delivery of the juvenile into the custody of one or both of his or her parents or the legal guardian;

(ii) Delivery into the custody of a member of his or her family;

(iii) Delivery into the custody of an approved institution or association capable of undertaking the juvenile's upbringing;

(iv) Placement in a remand centre;

(v) Placement in a juvenile reform institution;

(vi) Preventive detention in a juvenile home;

(vii) Release on probation;

(viii) Restricted residence;

(ix) Prohibition of frequentation of places of ill-repute;

(x) Prohibition of engagement in specific types of work;

(xi) Care.

238. Placement in a juvenile reform institution is a custodial measure prescribed for all juveniles from 7 to 15 years of age. Its purpose is to reform juveniles and provide them with vocational training. The duration of

such placement must be not less than six months and must not extend beyond the date on which the juvenile reaches the age of 18 years (art. 11 of the Juvenile Delinquents Act).

239. Placement in a remand centre is a provisional detention measure the purpose of which is to determine the juvenile's character and study his or her psychological and social situation. Its duration must not exceed six months. This measure can be taken during the hearing of the case and before judgement is passed (art. 47 of the Juvenile Delinquents Act).

240. The purpose of detention in a juvenile home is to confine the juvenile in a medical institution appropriate to his or her condition if the judge finds that his or her delinquency is the result of mental illness. The duration of this measure is unspecified, since the juvenile remains in the appropriate institution until he or she is cured. Attainment of the age of majority does not preclude the juvenile's continued confinement in the said institution.

241. The purpose of release on probation is to monitor the behaviour of juvenile delinquents, reform them through counselling, help them to avoid misbehaviour and facilitate their social integration (art. 30 of the Juvenile Delinquents Act).

242. At the second stage of childhood, we find that children are not subject to any form of deprivation of liberty as defined in criminal law. However, they are subject to administrative measures designed to protect and reform the juvenile and prevent him or her from committing further offences through education, training, counselling and assistance in eliminating the causes of the juvenile's delinquency.

243. Under the terms of the Juvenile Delinquents Act, young offenders at this stage of childhood are liable to reduced penalties (art. 3, para. (b), of the Act). Consequently, at this stage, young offenders may be detained or remanded in juvenile institutions for reform and corrective purposes in order to prevent them from mixing with adult criminals (art. 30 of the Act).

244. Children who bear criminal responsibility in accordance with the Juvenile Delinquents Act are liable to detention or imprisonment only if they commit felonies after reaching the age of 15 years, in which case they are detained in a special wing of a juvenile reform institution (art. 30 of the Act). (Detention for misdemeanours; imprisonment for felonies.)

245. The Syrian Arab Republic has four juvenile reform institutions and two institutions for the care of juvenile vagrants in the cities of Damascus and Aleppo from the services of which about 300 male and female juveniles are benefiting. The purpose of these institutions, which are run by the Ministry of Social Affairs and Labour, is to keep juvenile delinquents out of the public prisons, reform them, meet their need for theoretical study and vocational training, develop their intellectual, moral and physical potential and foster their sense of patriotism so that they can become upstanding citizens.

246. There are 12 juvenile remand centres, distributed among all the country's governorates, for persons whom the courts decide to place under surveillance pending trial. These centres study the factors that led to the juvenile's delinquency and propose appropriate measures. Some of these centres are run by the Ministry of Social Affairs and Labour, while others are run by voluntary charitable associations.

247. The said institutions provide their young inmates with theoretical and vocational education, their costs being met from funds appropriated for this purpose in the budget of the Ministry of Social Affairs and Labour.

248. In spite of the endeavours that have been made, the existing institutions that have been established to rehabilitate juvenile delinquents and vagrants are still inadequate from the standpoint not only of their number and absorption capacity but also of the services that they are able to render to children.

3. Sentencing of juveniles, particularly the prohibition of capital punishment and life imprisonment (art. 37 (a))

249. Under Syrian law, juveniles are not regarded as real criminals and, consequently, are not subject to the same penalties as those prescribed for adults. Regardless of the nature of the offences that they might have committed, juveniles under 15 years of age are liable solely to one of the reform measures to which we have already referred (see paragraph 198). The same applies to misdemeanours committed by juveniles between 15 and 18 years of age.

250. According to the Juvenile Delinquents Act, juveniles over 15 years of age who commit felonies punishable by a term of more than 3 years, imprisonment are subject to the following penalties (art. 29 of the Act):

A term of imprisonment with compulsory labour for 6 to 12 years if the offence constitutes a felony punishable by death.

A term of imprisonment with compulsory labour for 5 to 10 years if the offence constitutes a felony punishable by hard labour for life or life imprisonment.

A term of imprisonment with compulsory labour for 1 to 5 years if the offence constitutes a felony punishable by a term of hard labour or imprisonment.

251. Under Syrian law, juveniles are never liable to capital punishment or life imprisonment. They are liable only to lighter penalties which cannot, in any circumstances, exceed 12 years' imprisonment.

252. The judgements handed down by the juvenile courts are final and the court may pass summary judgements if the best interests of the juvenile so require. Its judgments are subject to appeal by the guardian or tutor of the juvenile or by the person in whose custody the juvenile is placed. Appeals against

judgements handed down by district juvenile courts are lodged with the Court of Cassation, while those handed down by a single juvenile judge are lodged with a court of appeal (art. 50 of the Juvenile Delinquents Act).

253. Judgements handed down against juveniles are not entered in the judicial register and, consequently, juveniles cannot be sentenced on the basis of their past record (repeated offenders), nor are they liable to ancillary or additional penalties (art. 58 of the Juvenile Delinquents Act).

C. Child victims of exploitation, including physical and psychological recovery and social reintegration (art. 39)

1. Economic exploitation, including child labour (art. 32)

254. The State protects children from all forms of economic exploitation, including under-age employment and engagement in occupations in which their employment is prohibited by law.

255. It is prohibited to employ children under 12 years of age in any form of work. Article 124 of the Labour Act No. 91 of 1959 stipulates that: "It is prohibited to employ young persons under 12 years of age and they must not be allowed to enter places of work ...". According to article 1 of Legislative Decree No. 13 of 1982: "Anyone who employs in his home a male or female minor under 12 years of age shall be liable to a penalty of two months' imprisonment and a fine. This penalty, which shall be doubled in the event of a repeated offence, shall also be imposed on the minor's guardian if he arranged the employment contract".

256. The law prohibits the exploitative use of children for purposes of begging. Under article 604 of the Penal Code: "Anyone who induces a minor under 18 years of age to beg with a view to personal gain shall be punished by a term of six months' to two years' imprisonment and a fine".

257. Under Syrian law, male or female children under 12 years of age cannot be employed in agricultural work (art. 47 of the Agricultural Relations Act No. 134 of 1985).

258. Article 6 of the Compulsory Education Act No. 35 of 16 August 1981 stipulates that: "Anyone who employs a child at the age of compulsory education shall be liable to a term of two months' imprisonment or a fine. This penalty shall be doubled in the event of a repeated offence, in which case the premises in which the child was employed shall also be closed for a period of two years".

2. Illicit use of narcotic drugs (art. 33)

259. Syria affords the highest degree of protection to children in order to prevent their exploitation in drug traffic in view of the serious effect that this has on the child's physical and psychological well-being. Accordingly, articles 39-40 of Act No. 2 of 12 April 1993 prescribe capital punishment for anyone who uses a minor to commit an offence involving the smuggling, processing or cultivation of narcotic drugs or the plants from which they are

derived. The same penalty also applies to anyone who uses a minor in the said traffic, regardless of whether such use involves sale, delivery, purchasing or acting as an intermediary.

260. Article 42, paragraph 2, of the new Narcotics Act No. 2 of 1993 prescribes a penalty of life imprisonment and a fine for anyone who supplies narcotic substances to a minor or incites a minor to use such substances by any means of coercion, deceit, inducement or instigation.

261. Under Syrian law, the same penalty also applies to anyone who peddles narcotics at or in the vicinity of educational institutions, camps or other places frequented by young persons and minors (art. 42 of the Narcotics Act).

262. Under article 611 of the Syrian Narcotics Act: "Anyone who causes a minor under 18 years of age to drink alcoholic beverages to the point of intoxication shall be liable to a fine".

263. Under the terms of article 612 of the Penal Code: "The owner of a tavern or other establishment open to the public, or any of its customers, who offers alcoholic beverages to a minor under 18 years of age shall be liable to a correctional penalty of detention and a fine".

264. Hence, we find that Syrian law protects children from any harm that might be caused by any type or form of narcotic substances. The effectiveness of this protection is illustrated by the absence of drug addiction among children of all ages.

3. Sexual exploitation and sexual abuse (art. 34)

265. The Syrian Penal Code protects minors from sexual abuse by prescribing severe penalties for sexual offences committed against them. Article 489, paragraph 2, of the Code stipulates that the penalty shall not be less than 21 years' imprisonment if the victim is under 15 years of age.

266. Under article 491:

> "1. Anyone who has sexual intercourse with a minor under 15 years of age shall be punished by a term of nine years' imprisonment with hard labour.
>
> 2. The said term shall not be less than 15 years if the child is under 12 years of age."

267. Syrian law prescribes penalties ranging in severity from 18 years' imprisonment with hard labour to a term of correctional detention for anyone who commits indecent acts against a minor or who engages in shameless acts of philandry by fondling or making gestures or suggestions to a minor (arts. 493, 495, 505 and 506 of the Penal Code).

268. Syrian law protects children from the traffic in sex and sexual exploitation through the Suppression of Prostitution Act No. 10 of 8 March 1961, which prescribes a penalty of detention for anyone who incites a male or female person to engage in acts of debauchery or prostitution, who

aids or abets therein, or who employs, procures or entices others with a view to their engagement in such acts of debauchery or prostitution. If the victim is under 21 years of age, the penalty is detention for a period of one to five years (art. 1 of the Act).

269. The law also protects children from incitement or any attempt to help them to leave the country for the purpose of engagement in acts of debauchery or prostitution. The above-mentioned penalty also applies to anyone who violates this provision (art. 3 of Act No. 10 of 1961).

270. A more severe penalty, ranging from three to seven years' imprisonment, is prescribed if the victim of offences of sexual exploitation and traffic in sex is under 16 years of age (art. 4 of Act No. 10 of 1961).

4. Other forms of exploitation (art. 36)

271. Syrian law protects children from all forms of economic, social and moral exploitation by prescribing severe penalties for anyone who engages in such acts. All the requisite regulations have been promulgated to protect the lives and development of children so that they can enjoy a secure and stable childhood in accordance with the principle that children represent the future hopes of the nation in regard to the achievement of prosperity and development in all fields.

5. Sale, traffic and abduction (art. 35)

272. Human beings are the world's most precious asset and should never form the subject of financial rights. Any sale of a human being, or of any part thereof, is null and void since it is incompatible with human dignity and freedom on which Syria's political, social and economic system is largely based. This is affirmed in the preamble to the Constitution, which stipulates that the State guarantees every citizen's right to enjoy freedom in order to become a respected individual capable of engaging in productive and constructive activity. The freedom of the nation can be safeguarded only by free citizens and cannot be complete without economic and social freedom.

273. The Government of the Syrian Arab Republic is diligently contributing to the endeavours that the Working Group of the Commission on Human Rights is making to formulate a draft optional protocol to the Convention on the Rights of the Child concerning sale of children, child prostitution, child pornography and basic measures to prevent and eliminate this phenomenon.

274. Syrian law protects children from all forms of abduction and illicit transfer, which constitute punishable offences (arts. 478, 479, 481 and 484 of the Penal Code).

D. Children belonging to minorities or indigenous population groups (art. 30)

275. The law protects Syrian and all other children residing in the territory of the State, regardless of race, origin, religion or nationality and without any discrimination between them. No case of discrimination in regard to this protection has ever been reported in Syria.

276. Syrian children enjoy the same rights without discriminatory treatment on grounds such as race, origin, language or religion. They are treated equally at school and in the various institutions concerning with the welfare and protection of children. They all benefit from the same rights, privileges and services provided by the State.

Conclusion

277. The Syrian Arab Republic is doing its utmost, at all official and popular levels, to further the protection, survival and development of children and is using every available means to ensure their care in the fields of health, education, culture, social welfare, recreation, sports, art, tourism and information.

278. Child care is among the priorities for action in Syria's national policy, since children are the citizens of the future. This policy clearly reflects the words of the President of the Republic: "We want our children to have a happy childhood filed with health, learning and knowledge".

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